

26.09.2022.
16.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1089 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.15 of 2016 arising out of Maidan P.S. Case No.112 of 2016 dated 28.06.2016 under Sections 21(b)(ii)(c)/29 of the N. D. P. S. Act.

In the matter of : Saibur Rahman @ Babar @ Saibur
Rahaman.

... Petitioner.

Mr. Anand Keshari,
Mr. Gourav Kumar.

...for the Petitioner.

Mr. Sanjoy Bardhan,
Mr. Palash Chandra Majhi.

...for the State.

Petitioner is in custody for more than six years and three months. He submits there is slow progress in the trial of the case. He prays for bail.

Learned Advocate for the State opposes the prayer for bail. He submits bail prayer of the petitioner on the ground of delay was rejected in April, 2022 in CRM 8119 of 2021. Five witnesses have already been examined.

We have considered the materials on record. Petitioner has prayed for bail primarily on the ground of delay. Bail prayer of the petitioner was rejected both on merits and on the ground of delay in April, 2022. After the rejection of bail prayer of the petitioner, one more witness has been examined in September, 2022.

In view of the aforesaid development in the case, we are of the opinion this is not a fit case to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

Trial court is directed to conclude the trial at an early date preferably within six months from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)