

17.11.2022
Sl. No.2
akd
[Rejected]

C. R. M. (NDPS) 1292 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.10.2022 in connection with Bhagwangola Police Station Case No.500 of 2020 dated 20.10.2020 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.237 of 2020)

And

In Re: ***Pratap Nunia @ Pratap Noniya***

... .. Petitioner

Mr. Abdur Rakib
Mr. Biswajit Sarkar

... .. for the petitioner

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor
Mr. Dipankar Paramanick

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for more than two years. It is further submitted there is inordinate delay in the trial of the case.

Report is placed on record. It appears from the report delay was due to the pandemic conditions and thereafter, vacancy in court. Presently, the judicial officer has joined the post and date has been fixed for consideration of charge.

In view of the aforesaid fact and the incriminating materials on record showing recovery of narcotic substance above commercial quantity from the possession of the petitioner, we are not inclined to grant bail to him.

The application for bail is thus **rejected**.

Trial court is directed to consider the issue of framing of charge on the next date fixed and if it is unable to do so, positively within two months thereof without granting unnecessary adjournments to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

