

23.11.2022
as/tkm/ct 28
sl no.9

C.R.M. (NDPS) 1358 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Nischinda Police Station Case No. 66 of 2019 dated 22.4.2019 under Sections 20 (b)(ii)(c)/29 of the NDPS Act

And

In Re : Anwar Ali Khan & Anr. petitioners

Mr. M Chatterjee

..... for the petitioners

Mr. R Sengupta

..... for the State

Petitioner renews his prayer for bail. He submits he is in custody for more than three years. There is inordinate delay in the trial of the case.

Learned lawyer for the State opposes the prayer for bail. He submits trial is in progress.

We have considered the materials on record. Statements of witnesses implicate the petitioner in the crime of dealing in narcotic substance above commercial quantity. After rejection of bail by this court, trial has progressed to some extent.

Under such circumstances and in view of the statutory restrictions under section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail is rejected.

We, however, direct the trial court to conduct the trial on a day to day basis and conclude the same at an early date without granting unnecessary adjournments to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)