

23.11.2022
as/tkm/ct 28
sl no.14

C.R.M. (NDPS) 1364 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Anandapur Police Station Case No. 75 of 2021 dated 25.4.2021 under Sections 20 (b)(ii)(c)/29 of the NDPS Act

And

In Re : Fakre Alam

..... petitioner

Mr. A Chakraborty

..... for the petitioner

Mr. S Bardhan

Mr. P C Majhi

..... for the State

Petitioner is in custody for 567 days. He submits 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 disclose recovery of narcotic substance above commercial quantity i.e. 20.54 kgs of ganja from the possession of the petitioner. Trial is in progress.

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.

Trial court is directed to expedite the trial and conclude the same at an early date preferably within one year from the next date fixed for recording evidence without granting unnecessary adjournments to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)