

14.12.2022
Sl. No.6
akd
[Rejected]

C. R. M. (NDPS) 1480 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 06.12.2022 in connection with Risra Police Station Case No.102 of 2019 dated 30.11.2019 under Section 21(c) of the NDPS Act. (NDPS Case No.49 of 2019)

And

In Re: **Sk. Sahabuddin @ Hablu**

... .. Petitioner

Mr. Sudip Ghosh Chowdhury

... .. for the petitioner

Mr. Ranabir Roy Chowdhury

Mr. Mainak Gupta

... .. for the State

Petitioner renews his prayer for bail. It is submitted on behalf of the petitioner that he is in custody for three years and one month. It is further submitted there is delay in the trial of the case.

Learned advocate appearing for the State opposes the prayer for bail and submits one prosecution witness has been examined.

We have considered the materials on record. Materials collected during investigation show recovery of narcotic substance above commercial quantity from the possession of the petitioner. Examination of prosecution witnesses has begun. 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.

The application for bail is thus **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.)

