

06.01.2023

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rejected

C.R.M.(NDPS) No. 7 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raninagar Police Station Case No. 579 of 2019 dated 20.10.2019 under Sections 21(c)/29 of the NDPS Act.

And
In Re : Akbar Ali petitioner

Mr. Tapodip Gupta
....for the petitioner

Mr. Binay Panda
Ms. Puspita Saha
..... for the State

Learned Counsel appearing for the petitioner submits he is in custody for over three years. It is also submitted there is slow progress in the trial. He prays for bail.

Learned Counsel appearing for the State opposes the prayer for bail and submits trial is in progress and four witnesses have already been examined.

We have considered materials on record. There are materials implicating the petitioner in the offence of possessing narcotic substance above commercial quantity. In view of the aforesaid fact and 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.

Keeping in mind the protracted period of detention suffered by the petitioner we direct the trial court to conclude

the trial at an early date preferably within a period of six months from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)