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C.R.M.(NDPS) No. 40 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chandannagar Police Station Case No. 40 of 2020 dated 28.05.2020 under Section 21(c) of the NDPS Act.

And

In Re : Manick Roy petitioner

Mr. Bibaswan Bhattacharya

Mr. Abdus Salam

... for the petitioner

Mr. Sudip Ghosh

Mr. Apurba Kumar Datta

... for the State

Learned Counsel for the petitioner submits he is in custody for two years and seven months. It is also submitted there is inordinate delay in trial. He prays for bail.

Learned Counsel appearing for the State opposes the prayer for bail and submits trial is in progress. Date has been fixed for examining the remaining witnesses in March, 2023.

We have considered the materials on record. Statements of the witnesses and other contemporaneous documents show recovery of narcotic substance i.e. 2 liters of codeine phosphate from the petitioner. In view of the aforesaid circumstance and as trial has already been commenced 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 as expeditiously as possible preferably within six months from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)