

16.01.2023

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rejected

C.R.M.(NDPS) No. 63 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. 214 of 2020 dated 20.06.2020 under Section 21(c) of the NDPS Act.

And

In Re : Parimal Mondal @ Parimol Mondal petitioner

Mr. Saryati Datta
Mr. Tapodip Gupta

... for the petitioner

Mr. Ranadeb Sengupta

... for the State

Learned Counsel for the petitioner submits he is in custody for two years. There is slow progress in the trial. He prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits trial has already commenced.

We have considered the materials on record. There is evidence implicating the petitioner in the possession of narcotic substance above commercial quantity.

Under such circumstances and in view of statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner on merits with regard to the plea of delay in trial. We note trial has already commenced. Hence, we are not inclined to grant bail to the petitioner on this score also.

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 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.)