

20.01.2023.
21.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 85 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 08 of 2020 arising out of Jamuria P.S. Case No.367 of 2020 dated 17.12.2020 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Ajoy Kumar.

... Petitioner.

Mr. Shibaji Kr. Das,
Mr. Debarshi Brahma.

...for the Petitioner.

Mr. Sanjoy Bardhan,
Ms. Debjani Sengupta.

...for the State.

Petitioner is in custody for two years and one month. He submits there is delay in trial . He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Statements of witnesses and seizure memorandum show petitioner is the driver of the vehicle wherefrom narcotic substance above commercial quantity was recovered.

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 of the petitioner is rejected.

However, keeping in mind the period of detention suffered by the petitioner, we direct the trial court to conclude the trial 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.)