

31.01.2023.
04.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 102 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 205 of 2020 arising out of Raninagar P.S. Case No.323 of 2020 dated 06.09.2020 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Ripon Sk. & Anr.

... Petitioners.

Mr. Tapodip Gupta.

...for the Petitioners.

Mr. Saryati Datta.

...for the State.

Petitioners are in custody for more than two years and four months. They pray for bail on the ground of delay.

Learned Advocate for the State opposes the bail prayer. He submits one witness has been examined. Trial did not progress due to systemic reasons viz., cessation of work by lawyers.

We have considered the materials on record. There are materials showing involvement of the petitioner in possession of narcotic substance i.e. 300 ltrs. of phensedyl syrup containing codeine phosphate above commercial quantity. Petitioner has approached this Court for expeditious disposal. In CRR 757 of 2022, a learned Single Judge directed framing of charge at the earliest. Thereafter, charge has been framed and schedule has been fixed for examination of witness in March, 2022. Since then there has been progress in the matter in terms of the direction given by this Court in CRR 757 of 2022,

we are not inclined to grant bail to the petitioners on the ground of inordinate delay at this stage.

Accordingly, the prayer for bail of the petitioners is rejected.

Trial court is requested to conclude the trial as expeditiously as possible preferably within one year from the next date fixed for recording evidence without granting any unnecessary adjournments to either of the parties.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)