

01.02.2023

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rejected

C.R.M.(NDPS) No. 134 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hanskhali Police Station Case No. 688 of 2021 dated 28.09.2021 under Section 20(C) of the NDPS Act.

And

In Re : Mosiyar Mondal petitioner

Mr. Sumanta Das
Ms. Mallika Manna

... for the petitioner

Mr. Saryati Datta

.... for the State

Learned Counsel for the petitioner submits he is in custody for about one and half years. It is also submitted there is slow progress in the trial. He renews his bail prayer.

Learned Counsel for the State opposes the prayer for bail and submits trial is in progress. One out of nine witnesses have been examined.

We have considered the materials on record. There are materials implicating the petitioner in the alleged possession of 22 bottles of phensedyl syrup containing codeine phosphate from the petitioner.

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.

The application for bail is, thus, rejected.

Trial court is directed 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.)