

01.02.2023

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rejected

C.R.M. (NDPS) No. 138 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Contai Police Station Case No. 105 of 2022 dated 04.03.2022 under Section 20B(ii)(i) of the NDPS Act.

And

In Re : Bideshi Pradhan ..... petitioner

Mr. Mukteswar Maity  
... for the petitioner

Mr. Ranabir Roy Chowdhury  
Mr. Sandip Chakraborty  
... for the State

Learned Counsel for the petitioner submits he is in custody for over 300 days. It is also submitted that charge has not been framed. He renews his bail prayer.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Bail prayer of the petitioner was rejected lastly in July, 2022. Prayer for bail of the co-accused was also rejected in October, 2022. Under such circumstances, we are not inclined to grant bail to the petitioner on merits.

The application for bail is, thus, rejected.

Trial court is directed to consider the issue of framing of charge on the next date fixed and if it is unable to do so due to circumstances beyond control positively within one month thereof and in the event charge is framed to proceed with the

trial with utmost expedition and conclude the same without granting unnecessary adjournment to either of the parties. Parties shall co-operate with the trial.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**