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rejected

C.R.M. (NDPS) No. 139 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dadpur Police Station Case No. 195 of 2019 dated 05.12.2019 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Azaharuddin Biswas @ Bulet petitioner

Mr. Arunava Ganguly
... for the petitioner

Mr. Sudip Ghosh
Mr. Bitasok Banerjee
... for the State

Learned Counsel for the petitioner submits he is in custody for more than three years. He prays for bail on the ground of delay.

Learned Counsel for the State opposes the prayer for bail and submits charge has been framed and steps are being taken to conclude trial in terms of direction given by this Court in CRR No. 2651 of 2021.

We have considered the materials on record. There are materials showing recovery of narcotics above commercial quantity from the petitioner. In view of the aforesaid fact and statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner. With these observations, the application for bail is rejected.

In CRR 2651 of 2021 Hon'ble Single Judge of this Court has given directions for expeditious trial. In terms of the directions, charge has been framed. We hope and trust the aforesaid directions shall be scrupulously followed by the parties as well as the trial court in future.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)