

01.02.2023.
20.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 147 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 181 of 2019 arising out of Murshidabad P.S. Case No.522 of 2019 dated 21.09.2019 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Sk. Safir & Anr.

... Petitioners.

Ms. Chandrima Debnath.

...for the Petitioners.

Mr. T. D. Nandy,
Mr. Antarikhya Basu.

...for the State.

Petitioners are in custody for three years and four months. They pray for bail on the ground of inordinate delay.

Learned Advocate for the State opposes the bail prayer. He submits date has been fixed for recording evidence in March, 2023.

We have considered the materials on record. There are ample materials showing recovery of narcotics i.e. 3.380 kgs. of heroin from the joint possession of the petitioners.

In view of the aforesaid materials and statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioners.

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

Trial court is requested to conduct the trial as expeditiously as possible and conclude the same at an early

date 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.)