

16.02.2023
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rejected

C.R.M. (NDPS) No. 151 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Murshidabad Police Station Case No. 543 of 2020 dated 22.10.2020 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Aroj Ali petitioner

Ms. Chandrima Debnath

... for the petitioner

Mr. Ranabir Roy Chowdhury

Mr. Sandip Chakraborty

... for the State

Learned Counsel for the petitioner submits he is in custody for more than two years. It is also submitted that he is suffering from ailments. He renews his bail prayer.

Learned Counsel for the State opposes the prayer for bail. Report submitted regarding health condition of the petitioner and status of the proceeding is placed on record.

We have considered the materials on record. Petitioner was medically treated. His health condition is presently good. Charge has been framed and date has been fixed for recording prosecution evidence. There are ample materials implicating the petitioner in the crime. 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 expedite the trial and conclude the same at an early date preferably within one year from the next date fixed or recording evidence without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)