

03.02.2023

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rejected

C.R.M.(NDPS) No. 167 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Basirhat Police Station Case No. 917 of 2020 dated 04.08.2020 under Sections 21/22/23 of the NDPS Act and Section 12(1)(a) of Passport Act.

And

In Re : Rejaul Mondal petitioner

Mr. Angshuman Chakraborty
... for the petitioner

Mr. Ranadeb Sengupta
.... for the State

Learned Counsel for the petitioner submits he is in custody for two years and five months. It is also submitted that there is delay in trial.

Learned Counsel for the State opposes the prayer for bail and submits delay was due to adjournments sought by the defence. Trial is in progress. Two witnesses have already been examined.

We have considered the materials on record. There are materials showing recovery of 160 bottles of phensedyl cough syrup from the petitioner. Two out of six witnesses have already been examined. Under such circumstances, 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 adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)