

07.02.2023.
18.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 208 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 196 of 2020 arising out of Sagarpara P.S. Case No.47 of 2020 dated 23.08.2020 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Ajbar Sk. @ Kalu & Anr.

... Petitioners.

Mr. Jisan Hossain,
Ms. Chandrima Debnath.

...for the Petitioners.

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

...for the State.

Petitioner is in custody for two years and five months. He submits there is delay in trial. He prays for bail.

Learned Advocate for the State opposes the bail prayer. It is contended five out of eleven witnesses have been examined.

We have considered the materials on record. 470 bottles of phensedyl syrup containing codeine phosphate were recovered from the petitioner. Trial is in progress. Five out of eleven witnesses have been examined.

Hence, we are not inclined to grant bail to the petitioner on the ground of delay at this stage. But we give a last opportunity to the prosecution to conclude its case at the earliest.

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

Trial court is requested to conclude the trial at an early date preferably within six months from the next date fixed for recording evidence without granting any unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)