

09.02.2023
Sl. No.3
akd
[Rejected]

C. R. M. (NDPS) 229 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 02.02.2023 in connection with Nakashipara Police Station Case No.285 of 2021 dated 23.05.2021 under Sections 20(b)(ii)(c)/29 of the NDPS Act. (NDPS Case No.50 of 2021)

And

In Re: ***Samir Das @ Buro***

... .. Petitioner

Mr. Kalyan Kumar Bhattacharjee
Ms. Reshmi Khatun

... .. for the petitioner

Mr. Sanjay Bardhan
Mr. Palash Ch. Majhi

... .. for the State

Petitioner renews his prayer for bail. It is submitted on behalf of the petitioner that he is in custody for about one year and eight months. It is further submitted there is delay in trial.

Learned Advocate for the State opposes the prayer for bail and submits six out of ten witnesses have been examined.

We have considered the materials on record. Bail prayer of the petitioner was rejected earlier. Six out of ten witnesses have already been examined. Under such circumstances and in view of the 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 without delay.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

