

13.02.2023
Sl. No.21
akd
[Rejected]

C. R. M. (NDPS) 246 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 07.02.2023 in connection with Berhampore Police Station Case No.687 of 2020 dated 11.07.2020 under Sections 22(c)/29 of the NDPS Act. (NDPS Case No.167 of 2020)

And

In Re: ***Motiur Sk. @ Moti***

... .. Petitioner

Mr. Mazhar Hossain Chowdhury
Ms. Mobashshara Alam

... .. for the petitioner

Mr. T. D. Nandy
Mr. Antarikhya Basu

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 948 days. It is further submitted there is delay in trial.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Six out of nine witnesses have already been examined. Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act and as trial has considerably progressed, 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)