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rejected

C.R.M. (NDPS) No. 259 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Lalgola Police Station Case No. 319 of 2020 dated 03.09.2020 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

And

In Re : Esrail Haque @ Esrail Hoque petitioner

Mr. Saryati Dutta
Mr. Tapodip Gupta

... 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. He prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits two out of twelve witnesses have been examined.

We have considered the materials on record. There are materials implicating the petitioner in the crime. Two witnesses have already been examined. In view of the aforesaid circumstances and 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.)