

15.02.2023
as/tkm/ct 28
sl no. 31

C.R.M. (NDPS) 273 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Raninagar PS case no. 492 of 2020 dated 3.12.2020 under section 21(1)/20(b) of the NDPS Act

And

In Re : Ali Hossain

..... petitioner

Ms. C Debnath

..... for the petitioner

Mr. S G Mukherjee, Id PP

Mr. Ranadeb Sengupta

..... for the State

Petitioner is in custody for more than two years. It is submitted there is delay in trial. He prays for bail.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. Statement of witnesses and contemporaneous document show recovery of 158 bottles of phensedyl syrup containing codeine mixture and 2.5 kgs. of ganja from the petitioner. Trial has already commenced.

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.

Accordingly, prayer for bail is 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 for recording evidence without granting unnecessary adjournments to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)