

13.03.2023

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rejected

C.R.M. (NDPS) No. 311 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nabagram Police Station Case No. 233 of 2020 dated 05.09.2020 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

And

In Re : Raja Datta @ Raja Dutta & Ors. petitioners

Mr. Sourav Chatterjee

Mr. Anisur Rahman

... for the petitioners

Mr. Sanjoy Bardhan

Ms. Baishakhi Chatterjee

... for the State

Learned Counsel for the petitioners submits they are in custody for two years and five months. It is also submitted that there is inordinate delay in trial. In spite of direction given by this Court there is slow progress in the matter. They pray for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. It is true direction was given to conclude trial expeditiously on 11.07.2022 in CRM(NDPS) 737 of 2022. Trial did not progress partly due to non-production of prosecution witnesses and partly due to local holiday.

Under such circumstances, a last opportunity is given to the prosecution to conclude the trial.

The application for bail is, thus, rejected at this stage.

Trial court shall ensure prompt examination of witnesses and conclude the trial as expeditiously as possible preferably within one year from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)