

14.03.2023
Sl. No.9
akd
[Rejected]

C. R. M. (NDPS) 379 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 16.02.2023 in connection with Raninagar Police Station Case No.94 of 2020 dated 07.02.2020 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.30 of 2020)

And

In Re: ***Dablu Sk.***

... .. Petitioner

Mr. Arnab Chatterjee
Mr. Dhanasree Biswas
Ms. Poulami Bose

... .. for the petitioner

Mr. Binay Panda
Mrs. Puspita Saha

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about three years and one month. It is further submitted inspite of direction given by this court in CRR 34 of 2022, trial has not concluded.

Learned Advocate for the State opposes the prayer for bail and submits trial is in progress. Six out of fourteen witnesses have already been examined.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 100 bottles of *phensedyl syrup* from the petitioner. Pursuant to direction by this court to conclude trial preferably within one year vide order dated 21.01.2022 in CRR 34 of 2022, six witnesses have been examined. There is appreciable progress in trial. Under such circumstances, 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 six months from the next date fixed for recording evidence without granting unnecessary adjournments to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)