

14.03.2023

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rejected

C.R.M. (NDPS) No. 388 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jalangi Police Station Case No. 414 of 2020 dated 30.11.2020 under Sections 21(C) /29 of the NDPS Act and under Sections 25(i)(a) of the Arms Act.

And

In Re : Masiur Rahaman petitioner

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

... for the petitioner

Mr. Swapan Banerjee
Mr. Suman De

... for the State

Learned Counsel for the petitioner submits he is in custody for two years and three months. It is also submitted that there is inordinate delay in trial. He renews his bail prayer.

Learned Counsel for the State opposes the prayer for bail and submits seven witnesses have already been examined.

We have considered the materials on record. Statements of the witnesses and contemporaneous document i.e. seizure memorandum show recovery of 102 bottles of phensedyl cough syrup containing codeine phosphate from the petitioner and co-accused. Trial is in progress and seven witnesses have already been examined. In view of the appreciable progress in trial and materials on record implicating the petitioner in transportation

of narcotics above commercial quantity, we are not inclined to grant bail to him.

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 adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)