

16.03.2023

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rejected

C.R.M. (NDPS) No. 401 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 743 of 2020 dated 25.09.2020 under Section 21(c)/29 of the NDPS Act.

And

In Re : Bajiruddin petitioner

Mr. Soumyajit Das Mahapatra
Mr. Mazhar Hossain Chowdhury
Mr. Mobashshara Alam
... for the petitioner

Mr. Sanjoy Bardhan
Mr. Palash Chandra Majhi
... for the State

Learned Counsel for the petitioner submits he is in custody for two years and six months. It is also submitted there is hardly any progress in the matter. He renews his bail prayer.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Initially co-accuseds had absconded and there was delay. Thereafter charge was framed in June, 2022. Trial is in progress. There are ample materials implicating the petitioner with regard to trafficking of narcotics above commercial quantity. Under such circumstances and in view of 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.

We request the trial court to conduct the trial with utmost expedition and conclude the same at an early date 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.)