

20.03.2023
Sl. No.19
akd
[Rejected]

C. R. M. (NDPS) 421 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 22.02.2023 in connection with Titagarh Police Station Case No.643 of 2019 dated 09.10.2019 under Section 21(c) of the NDPS Act.

And

In Re: ***Sanjay Das & Anr.***

... .. Petitioners

Mr. Debasis Kar

... .. for the petitioners

Mr. Ranadeb Sengupta

... .. for the State

It is submitted on behalf of the petitioners that they are in custody for more than three years. It is further submitted there is inordinate delay in trial.

Learned Advocate for the State opposes the prayer for bail and submits charge has been framed in September, 2022.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 3.2 kgs. of *codeine mixture*, which is above commercial quantity from the joint possession of the petitioners. Charge has already been framed. 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 petitioners.

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 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.)

