

20.03.2023
Sl. No.25
akd
[Rejected]

C. R. M. (NDPS) 427 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 01.03.2023 in connection with Jamuria Police Station Case No.197 of 2020 dated 19.07.2020 under Section 20(b)(ii)(c) of the NDPS Act. (NDPS Case No.04 of 2020)

And

In Re: **Anil Kumar Singh & Anr.**

... .. Petitioners

Mr. Uday Sankar Chattopadhyay
Mr. Suman Sankar Chattopadhyay
Ms. Trisha Rakshit

... .. for the petitioners

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor
Mr. Dipankar Paramanick

... .. for the State

It is submitted on behalf of the petitioners that they are in custody for about two years and eight months. It is further submitted there is inordinate delay in trial.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. Over 250 kgs. of *Ganja* was recovered from the godown jointly owned by petitioner no.1 and a co-accused who has since expired. Petitioner no.2 was present in the godown at the time of recovery. Keeping in mind the aforesaid incriminating materials and 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.)

