

21.03.2023.
13.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 437 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 63 of 2020 arising out of English Bazar P.S. Case No.667 of 2020 dated 10.08.2020 under Sections 22(C)/29 of the NDPS Act.

In the matter of : Pijush Mandal & Anr.

... Petitioners.

Mr. Amitabha Karmakar,
Mr. Arup Kr. Bhowmick.

...for the Petitioners.

Mr. T. D. Nandy,
Mr. Antarikhya Basu.

...for the State.

Petitioners are in custody for two years and eight months. They submit inspite of direction given by this Court in CRM 3665 of 2021, there is hardly any progress in trial. Only one witness has been examined in part.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. 400 grams of brown sugar was recovered from the petitioner. One witness has been examined in part.

Under such circumstances, we consider it prudent to give a last opportunity to the prosecution to conclude the trial.

Accordingly, we are not inclined to grant bail to the petitioner at this stage.

Trial court is directed to conclude the trial on a day to day basis and conclude the same 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.)