

23.03.2023
Sl. No.8
akd
[Rejected]

C. R. M. (NDPS) 466 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 16.03.2023 in connection with Nabagram Police Station Case No.24 of 2020 dated 11.01.2020 under Sections 22(c)/29 of the NDPS Act. (NDPS Case No.16 of 2020)

And

In Re: ***Sanu Bhutia & Anr.***

... .. Petitioners

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

... .. for the petitioners

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor
Mrs. Sonali Das
Ms. Sreeparna Das

... .. for the State

It is submitted on behalf of the petitioners that they are in custody for about three years and two months. It is further submitted prosecution witnesses have turned hostile.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. Independent witnesses have turned hostile. They however, admitted their signatures on the seizure list and other documents. Official witnesses are yet to be examined. Trial is in progress. 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.

Parties shall communicate a copy of this order to the trial court for due compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)