

23.03.2023
Sl. No.10
akd
[Rejected]

C. R. M. (NDPS) 468 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 14.03.2023 in connection with Beldanga Police Station Case No.187 of 2020 dated 07.05.2020 under Section 22(c) of the NDPS Act. (NDPS Case No.137 of 2020)

And

In Re: ***Wajul Sk. @ Wajer Sk. @ Malek @ Bijoy @ Jarda***
... .. Petitioner

Mr. Raju Mondal
... .. for the petitioner

Mr. Saibal Bapuli .. Id. Addl. Public Prosecutor
Mr. Soumik Ganguli
... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about three years. It is further submitted there is inordinate delay in trial.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. There are materials showing recovery of 5 ltrs. of *codeine mixture* from the petitioner. His bail prayer was rejected on merits in December, 2021. Two witnesses have been examined and further examination is fixed in April, 2023.

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 petitioner.

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.)