

06.04.2023
Sl. No.2
[Rejected]

C. R. M. (NDPS) 537 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 17.03.2023 in connection with NCB Crime No. 38/NCB/KOL/2018 dated 03.08.2018 under Sections 8(c)/15(c)/29 of the NDPS Act.

And

In Re: ***Jiaul Hoque & Anr.***

... .. Petitioners

Mr. Arup Kumar Bhowmick

... .. for the petitioners

Mr. Arun Kumar Maiti

Mr. Sagar Saha

... .. for the NCB

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

Report is placed on record.

Learned Advocate for the NCB opposes the prayer for bail and submits six witnesses have already been examined. Two more witnesses are yet to be examined.

We have considered the materials on record. There are ample materials showing recovery of narcotics from the petitioners. Trial has substantially progressed. Hence, 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 six months 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.)