

30.03.2023
Sl. No.17
akd
[Rejected]

C. R. M. (NDPS) 584 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 24.03.2023 in connection with Khardah Police Station Case No.500 of 2019 dated 15.07.2019 under Section 21(c) of the NDPS Act.

And

In Re: **Ajay Gupta**

... .. Petitioner

Mr. Soumya Basu Roy Chowdhury

... .. for the petitioner

Mr. Saryati Datta

... .. for the State

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

Learned Advocate for the State opposes the prayer for bail and submits trial has substantially progressed. Five witnesses have already been examined.

We have considered the materials on record. 2 kgs. of *codeine mixture* was recovered from the petitioner. Five out of eight witnesses have already been examined. 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 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.)