

31.03.2023
Sl. No.10
akd
[Rejected]

C. R. M. (NDPS) 605 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 English Bazar Police Station Case No.1184 of 2019 dated 26.11.2019 under Sections 22(c)/29 of the NDPS Act.

And

In Re: **Nurul Hoque**

... .. Petitioner

Mr. Sandip Chakraborty
Mr. Kaustav Das

... .. for the petitioner

Mr. T. D. Nandy
Mr. Antarikhya Basu

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 3½ years. It is further submitted recovery was not from his possession. There is inordinate delay in trial.

Learned Advocate for the State opposes the prayer for bail and submits a large volume of *Yaba* tablets were recovered from a hotel room. Petitioner and co-accused were present in the hotel room.

We have considered the materials on record. Charge has been framed in December, 2021 and six witnesses have been examined till now. Bail prayer of the petitioner was rejected earlier on merits. In view of the aforesaid materials and 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.)