

10.04.2023.
21.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 688 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Spl Case No.97 of 2020 arising out of Kaliachak P.S. Case No.1025 of 2020 dated 13.12.2020 under Section 22(c)/29 of the NDPS Act.

In the matter of : Md. Hajru Sk.

... Petitioner.

Mazhar Hossain Chowdhury,
Ms. Mobashshara Alam.

...for the Petitioner.

Mr. Madhusudan Sur,
Mr. Dipankar Paramanick.

...for the State.

Petitioner is in custody for two years and four months.

He submits there is delay in trial. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of narcotics above commercial quantity i.e. 10,000 pieces of yaba tablets owing 1.555 kgs. from the petitioner. Trial is in progress.

Under such circumstances and in view of statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

Trial court is requested 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 this order to the trial court for due compliance.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)