

18.04.2023
Sl. No.17
akd
[Rejected]

C. R. M. (NDPS) 773 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 11.04.2023 in connection with Haripal Police Station Case No.112 of 2020 dated 15.04.2020 under Section 20(b)(ii)(c) of the NDPS Act. (NDPS Case No.22 of 2020)

And

In Re: ***Suraj Mondal***

... .. Petitioner

Mr. Kunal Ganguly
Mr. Arunava Ganguly

... .. for the petitioner

Mr. Sandip Chakraborty

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for more than three years. It is further submitted there is inordinate delay in trial. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail and submits charge has been framed in 2022. One witness has been examined.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 30 kgs. of *Ganja*, which is above commercial quantity from the petitioner. Trial is in progress and only one witness has 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 conduct the trial with utmost expedition and conclude the same at an early date.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

