

19.04.2023
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rejected

C.R.M. (NDPS) No. 797 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nabagram Police Station Case No. 365 of 2020 dated 21.12.2020 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Jamirul Sk. petitioner

Mr. Jisan Iqubal Hossain

Ms. Chandrmia Debnath

Mr. Karnel Mondal

... for the petitioner

Mr. Sanjoy Bardhan

Ms. Baishakhi Chatterjee

... for the State

Learned Counsel for the petitioner submits he is in custody for two years and four months. It is also submitted there is slow progress in the trial. He prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits charge has been framed. Chemical examiner's report has also been filed.

We have considered the materials on record which show recovery of narcotics i.e. 2 kgs. of Yaba Tablets containing methamphetamine above commercial quantity from the possession of the petitioner. Charge has already been framed and date has been fixed for recording prosecution evidence. Bail prayer of the petitioner was rejected earlier on merits.

In view of the aforesaid circumstances 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 conduct the trial and conclude the same at an early date preferably within two years 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 necessary compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)