

26.04.2023
Sl. No.15
akd
[Rejected]

C. R. M. (NDPS) 874 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 17.04.2023 in connection with NDPS Case No.29 of 2018 arising out of NCB Crime No. 36/NCB/KOL/2018 dated 24.07.2018 under Sections 22(c)/29/8(c) of the NDPS Act.

And

In Re: **Alam Hossain**

... .. Petitioner

Mr. Ramdulal Manna
Ms. Manju Manna (Dey)
Mr. Sayan Mukherjee
Ms. Payel Khanra

... .. for the petitioner

Mr. Uttam Basak

... .. for the NCB

Heard the learned Advocates appearing for both the parties.

Petitioner prays for bail on the ground of delay in trial. Bail prayer of co-accused viz. Md. Kalu @ Ataur Rahaman was rejected in September, 2022. While rejecting the said prayer, this Court directed the trial to proceed with utmost expedition and conclude the same as expeditiously as possible preferably within one year. The said time frame has not expired as yet. Hence, we are not inclined to grant bail to the petitioner on the ground of delay.

We have considered the materials on record. There are ample materials to show complicity of the petitioner in dealing in narcotics above commercial quantity. His bail prayer was rejected earlier on merits. Under such circumstances, we are not inclined to grant bail to the petitioner on merits too.

The application for bail is thus rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

