

02.05.2023
Sl. No.17
akd
[Rejected]

C. R. M. (NDPS) 913 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 26.04.2023 in connection with Beldanga Police Station Case No.469 of 2020 dated 02.11.2020 under Section 20(b)(ii)(c) of the NDPS Act. (NDPS Case No.256 of 2020)

And

In Re: ***Abu Taleb Sk. @ Abutaleb Sk.***

... .. Petitioner

Mr. Somnath Adhikary

... .. for the petitioner

Mr. Antarikhya Basu

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for more than two 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 trial is in progress.

We have considered the materials on record. Bail prayer of the petitioner was rejected on merits in June, 2022. Trial has already commenced. 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)