

02.05.2023
Sl. No.14
akd
[Rejected]

C. R. M. (NDPS) 910 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 Muchipara Police Station Case No.37 of 2020 dated 15.02.2020 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.14 of 2020)

And

In Re: ***Durga Rani Mondal @ Chaya***

... .. Petitioner

Mr. Jayanta Narayan Chatterjee
Mr. Joy Chakraborty
Mr. Sandip Dinda
Ms. Moumita Pandit
Mr. Supreem Naskar
Ms. Jayashree Patra

... .. for the petitioner

Mr. Sanjay Bardhan
Mr. Palash Ch. Majhi

... .. for the State

It is submitted on behalf of the petitioner that she is in custody for more than three years. It is further submitted there is inordinate delay in trial. In spite of direction given by this court in CRR 2174 of 2022 to complete trial within nine months, there is hardly any progress in the matter. Accordingly, she renews her prayer for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Bail prayer of the petitioner was rejected earlier on merits. Delay is primarily due to absence of Judge in the trial court. It cannot be attributed to the prosecution. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is thus rejected.

Trial court is directed to expedite the trial and conclude the same at an early date.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

