

03.05.2023
Sl. No.13
akd
[Rejected]

C. R. M. (NDPS) 920 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 27.04.2023 in connection with Bhadreswar Police Station Case No.265 of 2018 dated 07.07.2018 under Section 20(b)(ii)(c) of the NDPS Act. (NDPS Case No.43 of 2018)

And

In Re: **Sumit Bag @ Mundo**

... .. Petitioner

Mr. Arunava Ganguly

... .. for the petitioner

Mr. Sanjay Bardhan
Ms. Baisakhi Chatterjee

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about four 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 five witnesses have already been examined. Next schedule has been fixed in the month of May, 2023.

We have considered the materials on record. There are ample materials showing recovery of narcotic substance i.e. 21 kgs. of *Ganja*, which is above commercial quantity from the petitioner. Trial has substantially progressed. Date for examination of other witnesses has been fixed in the month of May, 2023. 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 conclude the trial as expeditiously as possible preferably within one year from the next date fixed for

recording evidence without granting unnecessary adjournment to either of the parties.

Parties shall communicate a copy of this order to the trial court for due compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)