

08.05.2023.
11.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 933 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection Jalangi P.S. Case No.351 of 2021 dated 13.12.2021 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Jamiruddin Sk. & Anr.
... Petitioners.

Mr. Arnab Chatterjee,
Mr. Amanul Islam,
Mr. Sourav Mukherjee.
...for the Petitioners.

Mr. Antarikhya Basu.
...for the State.

Petitioners submit there is delay in trial. They pray for bail.

Learned Advocate for the State opposes the bail prayer. He contends trial is in progress and four witnesses have already been examined. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of 107 bottles of phensedyl syrup containing codeine phosphate above commercial quantity from the petitioners. Four witnesses have already been examined. It cannot be said there is no progress in trial.

Keeping in mind the aforesaid fact and as materials on record show recovery of narcotics above commercial quantity from the petitioners, we are not inclined to grant bail to the petitioners.

Accordingly, the prayer for bail of the petitioners is rejected.

We request the trial court to conduct the trial with utmost expedition and fix schedules at regular intervals and conclude the trial 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 due compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)