

10.05.2023
Sl. No.17
akd
[Rejected]

C. R. M. (NDPS) 941 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 02.05.2023 in connection with Dumdum Police Station Case No.632 of 2020 dated 25.09.2020 under Sections 20(b)(ii)(B)/29 of the NDPS Act.

And

In Re: ***Rejaual Molla & Anr.***

... .. Petitioners

Mr. Debasis Kar

... .. for the petitioners

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor

Mrs. Sonali Das

... .. for the State

It is submitted on behalf of the petitioners that they are in custody for about two years and nine months. It is further submitted there is inordinate delay in trial. Accordingly, they pray for bail.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 22 kgs. of *Ganja*, which is above commercial quantity from the petitioners. Trial has already commenced and one witness has been examined in part. 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 petitioners.

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.)

