

10.05.2023
Sl. No.22
akd
[Rejected]

C. R. M. (NDPS) 947 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 03.05.2023 in connection with Berhampore Police Station Case No.418 of 2020 dated 07.05.2020 under Sections 22(c)/29 of the NDPS Act. (NDPS Case No.111 of 2020)

And

In Re: **Helal Sekh @ Hellal Sk.**

... .. Petitioner

Mr. Arnab Chatterjee
Mr. Anisur Rahaman

... .. for the petitioner

Mr. Saibal Bapuli .. Id. Addl. Public Prosecutor
Mr. Bibaswan Bhattacharya

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about three years. It is further submitted there is inordinate delay in trial. Accordingly, they pray for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner is involved in the conspiracy of dealing in narcotics. On his leading statement, 50 bottles of *phensedyl syrup* containing *codeine phosphate*, which is above commercial quantity was recovered from the house of co-accused. 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 expedite the trial and conclude the same at an early date.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

