

12.05.2023
Sl. No.6
akd
[Rejected]

C. R. M. (NDPS) 963 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 Uttarpara Police Station Case No.02 of 2020 dated 02.01.2020 under Section 21(c) of the NDPS Act. (NDPS Case No.02 of 2020)

And

In Re: **Ankit Tewari**

... .. Petitioner

Mr. Palash Ch. Majhi

... .. for the petitioner

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

Mr. Subroto Roy

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about three years and four months. It is further submitted there is inordinate delay in trial. Accordingly, he renews his prayer for bail.

Learned Additional Public Prosecutor opposes the prayer for bail and submits trial has already commenced.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 1.5 ltrs. of *codeine mixture*, which is above commercial quantity from the petitioner. His bail prayer was rejected in November, 2021 in CRM 3968 of 2021 and the trial court was directed to conduct the trial expeditiously. Thereafter, one witness has been examined. 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 conduct the trial by fixing schedules at regular intervals and conclude the same at an early date 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.)