

16.05.2023

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rejected

C.R.M. (NDPS) No. 984 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Park Street Police Station Case No. 50 of 2019 dated 03.04.2019 under Sections 22(b)/29 of the NDPS Act and Section 14 of Foreigners Act.

And

In Re : Tapas Ahamed @ Md. Hossain Sayed petitioner

Ms. Minoti Gomes

Mr. Joy Chakraborty

Mr. Sandip Dinda

... for the petitioner

Mr. Ranadeb Sengupta

... for the State

Learned Counsel for the petitioner submits he is in custody for more than four years. It is also submitted there is delay in trial. He prays for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner is a foreign national. He was apprehended with 40 grams of Yaba Tablets containing Methamphetamine. Co-accused were also arrested with Yaba Tablets containing Methamphetamine. Total quantity of Methamphetamine recovered from there is above commercial quantity. Petitioner was charge-sheeted not only on the accusation of possession of narcotics but also abetment/conspiracy under Section 29 of the NDPS Act. Under such circumstances, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

Trial court is directed to conduct the trial with utmost expedition and conclude the same at an early date 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 necessary compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)