

18.05.2023
tkm/ct 28
sl no.8

C.R.M. (NDPS) 1018 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Farakka PS case no. 131 of 2019 dated 27.3.2019 under sections 21(c)/29 of the NDPS Act

And

In Re : Md. Sakil Sk @ Md. Shakil & Anr. petitioners

Md. Wasim Akram
Md. Bani Israil

..... for the petitioners

Mr. S Bardhan
Ms. Baishakhi chattejee

..... for the State

Petitioners are in custody for more than four years. They submit there is delay in trial. They pray for bail.

Learned lawyer for the State opposes the bail prayer. He submits trial has substantially progressed. 11 witnesses have already been examined.

We have considered the materials on record. Statements of witnesses prima facie show recovery of 2.14 kgs of heroin from the joint possession of the petitioners. Trial has substantially progressed.

Hence, we are not inclined to grant bail to the petitioners.

Accordingly, prayer for bail is rejected.

Trial court is requested to conclude the trial 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 this order to the trial court for necessary compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)