

19.05.2023
Sl. No.8
akd
[Rejected]

C. R. M. (NDPS) 1023 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 15.05.2023 in connection with Kalna Police Station Case No.288 of 2019 dated 16.05.2019 under Sections 20(b)(ii)(c)/29 of the NDPS Act and Sections 417/420/467 of the Indian Penal Code.

And

In Re: ***Pran Pratim Bora***

... .. Petitioner

Mr. A. M. Firoz
Mr. Arun Shaw

... .. for the petitioner

Mr. Ranadeb Sengupta

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for more than four years. It is further submitted there is inordinate delay in trial. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail and submits five witnesses have already been examined.

We have considered the materials on record. Petitioner and co-accused had personated themselves as officials travelling in a Government vehicle with a blue beacon. Under such guise they were transporting narcotics i.e. 400 kgs. of *Ganja*. Bail prayer of the petitioner was rejected earlier on merits. Trial has progressed considerably. 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 conduct the trial with utmost expedition 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.)