

05.06.2023
as/tkm/ct 28
sl no.13

C.R.M. (NDPS) 1041 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Domkal PS case no. 440 of 2021 dated 25.7.2021 under sections 21(c)/29 of the NDPS Act

And

In Re : Pintu Ali & Anr. petitioners

Mr. A Rahaman

..... for the petitioner

Mr. Ranadeb Sengupta

..... for the State

Petitioners are in custody for more than a year. There is delay in trial. They pray for bail.

Learned lawyer for the State opposes the bail payer.

We have considered the materials on record. 116 bottles of phensedyl syrup containing codeine phosphate was recovered from the petitioners.

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 petitioners.

Accordingly, prayer for bail is rejected.

However, we direct the trial court to conclude the trial by fixing schedules at regular intervals preferably within a 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.)