

09.06.2023  
Sl. No.9  
**akd**  
[Rejected]

**C. R. M. (NDPS) 1088 of 2023**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.06.2023 in connection with Dasnagar Police Station Case No.187 of 2019 dated 28.11.2019 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

And

In Re: ***Ashis Jana @ Brett Lee***

... .. Petitioner

Mr. Mrityunjoy Chatterjee

... .. for the petitioner

Mr. Sanjay Bardhan  
Ms. Debjani Das Gupta

... .. for the State

Heard the learned Advocates appearing for both the parties.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotics above commercial quantity from the petitioner and co-accused. Co-accused has been enlarged on bail on health grounds. Petitioner does not stand on the same footing with the said co-accused. 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 expedite the trial 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.)**

