

05.07.2023.
54.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1132 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.15 of 2016 arising out of Maidan P.S. DD-112 dated 28.06.2016 under Sections 20(b)(ii)(C)/29 of the NDPS Act.

In the matter of : Saibur Rahaman @ Babar.
... Petitioner.

Mr. Raja Mukherjee.
...for the Petitioner.

Mr. Sanjoy Bardhan,
Ms. Baishakhi Chatterjee,
Ms. Pritha Paul.
...for the State.

Petitioner is in custody for seven years. He submits there is delay in trial. He prays for bail.

Learned Advocate for the State opposes the bail prayer. He submits trial has progressed considerably.

We have considered the materials on record. Though petitioner is in custody for more than seven years, delay cannot be wholly attributed to the prosecution. Trial is also at its fag end.

Under such circumstances, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

Trial court is requested to conclude the trial positively within six months from the next date fixed before it without granting unnecessary adjournment to either of the parties.

Parties shall communicate this order to the trial court for due compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)