

05.07.2023.
68.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1152 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.276 of 2020 arising out of Lalgola P.S. Case No.524 of 2020 dated 20.12.2020 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Kamaluddin @ Kamaluddin Sk @ Kamal.
... Petitioner.

Mr. Tapodip Gupta.

...for the Petitioner.

Mr. Sanjoy Bardhan,
Ms. Baishakhi Chatterjee.

...for the State.

Petitioner is in custody for two years and six months.

He submits there is delay in trial. He prays for bail

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. 50 bottles of phensedyl syrup containing codeine phosphate were recovered from the joint possession of the petitioner and co-accused. Date has been fixed for recording prosecution evidence.

Under such circumstances and in view of statutory restrictions under Section 37 of the NDPS Act, 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 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 this order to the trial court for due compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)