

11.07.2023
Sl. No.24
akd
[Rejected]

C. R. M. (NDPS) 1238 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.07.2023 in connection with Suti Police Station Case No.221 of 2020 dated 30.05.2020 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.99 of 2020)

And

In Re: ***Mehendi Hasan @ Mahaldar @ Mehedi Hasan & Anr.***
... .. Petitioners

Mr. Anisur Rahaman
... .. for the petitioners

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta
... .. for the State

It is submitted on behalf of the petitioners that they are in custody for more than three years. It is further submitted there is slow progress in the matter. Accordingly, they renew their prayer for bail.

Learned Advocate for the State opposes the prayer for bail and submits trial is in progress.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 20 ltrs. of *codeine phosphate*, which is above commercial quantity from the petitioners. Trial is in progress. 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.

The application for bail is thus rejected.

Trial court is directed to conduct the trial with utmost expedition by fixing schedules at regular intervals and conclude the same at an early date preferably within two years 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.)