

14.07.2023

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rejected

C.R.M.(NDPS) No. 1256 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Karandighi Police Station Case No. 262 of 2019 dated 22.08.2019 under Sections 20/21/22 of the NDPS Act.

And
In Re : Yad Ali @ Iyad Ali petitioner

Mr. Sayantan Hazra
....for the petitioner

Mr. Sanjoy Bardhan
Ms. Baishakhi Chatterjee
..... for the State

Learned Counsel for the petitioner submits he is in custody for three years and eight months. There is delay in trial. He prays for bail.

Learned Counsel for the State opposes the prayer for bail and submits ten out of thirteen witnesses have already been examined.

We have considered the materials on record. Narcotics above commercial quantity was recovered from the house of the petitioner. He does not stand on the same footing with co-accused who has been enlarged on interim bail. Ten out of thirteen witnesses have already been examined. Trial has progressed considerably. Under such circumstances, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

We request the trial court to conclude the trial as expeditiously as possible preferably within six months from the next date fixed for recording evidence without granting any unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)