

18.07.2023
Sl. No.3
akd
[Rejected]

C. R. M. (NDPS) 1267 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 10.07.2023 in connection with Durgapur Police Station Case No.577 of 2021 dated 14.12.2021 under Sections 21(b)(ii)(c)/29 of the NDPS Act. (NDPS Case No.33 of 2021)

And

In Re: **Sk. Saiful @ Sariful**

... .. Petitioner

Mr. Amit Ranjan Pati

... .. for the petitioner

Mr. Ranadeb Sengupta

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 580 days. It is further submitted there is delay in trial. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail and submits trial is in progress. One witness has been examined.

We have considered the materials on record. Narcotics i.e. 24 kgs. of *Ganja* was recovered from the joint possession of the petitioner and co-accused. Trial is in progress and only one witness has been examined. 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 petitioner.

The application for bail is thus rejected.

Trial court is directed to conclude the trial at an early date without unnecessary delay.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

