

11.08.2023

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rejected

C.R.M.(NDPS) No. 1379 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nowda Police Station Case No. 165 of 2020 dated 13.11.2020 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

And

In Re : Attab Sk. @ Attab Ali Sekh petitioner

Mr. Tapodip Gupta

....for the petitioner

Mr. Ranabir Roychowdhury

Mr. Mainak Gupta

..... for the State

1. Learned Counsel for the petitioner submits he is in custody for more than two years and nine months. There is delay in trial. He prays for bail.

2. Learned Counsel for the State submits trial has commenced. Date has been fixed for recording evidence.

3. We have considered the materials on record. 203 kgs. of Ganja was recovered from the possession of the petitioner. In view of the aforesaid materials on record and as date has been fixed for recording prosecution evidence we are not inclined to grant bail to the petitioner.

4. The application for bail is, thus, rejected.

5. We request the trial court to expedite the trial and conclude the same at an early date preferably within two years

from the next date fixed for recording evidence without granting any unnecessary adjournment to either of the parties.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)