

17.08.2023

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rejected

C.R.M.(NDPS) No. 1401 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Suti Police Station Case No. 294 of 2020 dated 26.06.2020 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

In Re : Raju Dutta And
 petitioner

Mr. Arnab Chatterjee
Mr. Anisur Rahaman
Ms. Dhanasree Biswas
Ms. Poulami Bose
 for the petitioner

Mr. Saibal Bapuli, learned APP
Mr. Bibaswan Bhattacharya
 for the State

1. Learned Counsel for the petitioner submits he is in custody for three years. It is also submitted that there is slow progress in the trial. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail and submits seven out of nineteen witnesses have been examined.

3. We have considered the materials on record. A large volume i.e. 62 kgs. of Ganja was recovered from a Maruti Suzuki Swift vehicle. Petitioner was present in the vehicle. Trial is in progress. Number of witnesses have already been examined.

4. 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.

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

6. 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)