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rejected

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 1025 of 2021 dated 23.09.2021 under Sections 21(c)/29 of the NDPS Act.

Mr. Arnab Saha
Mr. Abhimanyu Banerjee
....for the petitioner

1. Learned Counsel for the petitioner submits he is in custody for one year and eleven months There is delay in trial. He prays for bail.

2. Learned Counsel for the State opposes the bail prayer and submits charge has been framed and date has been fixed for recording evidence.

3. We have considered the materials on record. 440 bottles of Phensedyl Syrup containing codeine phosphate was recovered from the house of the petitioner. Charge has already been framed and date has been fixed for recording evidence. 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.

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

5. Trial court is directed to conclude the trial with utmost expedition preferably within two years from the next date fixed of recording evidence without granting unnecessary adjournment to either of the parties.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)