

13.09.2023
Sl. No.8
akd
[Rejected]

C. R. M. (NDPS) 1510 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 04.09.2023 in connection with Baishnabnagar Police Station Case No.190 of 2021 dated 04.05.2021 under Sections 22(c)/27A/28/29 of the NDPS Act. (NDPS Case No.39 of 2021)

And

In Re: ***Golam Murtaza @ Raju @ Golam Martuja Shekh & Anr.***
... .. Petitioners

Mr. Avinaba Patra
... .. for the petitioners

Mr. Sanjay Bardhan
Mr. Palash Chandra Majhi
... .. for the State

1. It is submitted on behalf of the petitioners that they are in custody for about two years and four months. It is further submitted there is slow progress in trial. Accordingly, they pray for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits petitioners are involved in smuggling large volume of *methamphetamine* tablets across international border. One witness has been examined.
3. We have considered the materials on record. A special task force conducted raid at the international border. Two vehicles were detained and 15.745 kgs. of *methamphetamine* tablets were recovered from the vehicles. The consignment was being smuggled across the international border. Petitioners were present in the vehicles and were unable to give any explanation with regard to transportation of narcotics. These materials prima facie show involvement of the petitioners in trafficking narcotics across international border. Trial has commenced and one witness has been examined. In the event petitioners are released on bail, there is

possibility they would abscond. 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 petitioners.

4. The application for bail is thus rejected.
5. Keeping in mind the period of detention already suffered by the petitioners, we direct the trial court to conduct the trial as expeditiously as possible by fixing schedules at regular intervals and conclude the same preferably within two years from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.
6. Parties shall communicate a copy of this order to the trial court for due compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)