

14.09.2023

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rejected

C.R.M.(NDPS) No. 1528 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bagdah Police Station Case No. 234 dated 28.03.2022 under Section 21(c) of the NDPS Act.

In Re : Raju Biswas And
 petitioner

Mr. Ashok Kumar Chowdhury
 for the petitioner

Mr. Saryati Datta
 for the State

1. Larned Counsel for the petitioner submits he is in custody for one year and five months. It is also submitted that there is there is delay in trial. He prays for bail.

2. Learned Counsel for the State opposes the bail prayer.

3. We have considered the materials on record. Petitioner was involved in transportation of narcotics across the international border. 300 bottles of Phensedyl Syrup containing codeine phosphate above commercial quantity in two bundles were recovered. Petitioner was arrested from the spot. Trial has commenced and date has been fixed for recording evidence. In view of the aforesaid facts and 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 conduct the trial with utmost expedition by fixing schedules at regular intervals and to conclude the same as expeditiously as possible preferably within two years from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)