

26.09.2023
Sl. No.9
akd
[Rejected]

C. R. M. (NDPS) 1543 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 13.09.2023 in connection with Nabagram Police Station Case No.176 of 2020 dated 07.07.2020 under Sections 20(b)(ii)(c)/29 of the NDPS Act. (NDPS Case No.163 of 2020)

And

In Re: **Sofikul Sk.**

... .. Petitioner

Mr. Arnab Chatterjee
Ms. Poulami Bose
Ms. Chandrima Debnath

... .. for the petitioner

Mr. Saryati Datta

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for more than three years. It is further submitted there is inordinate delay in trial. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits trial has commenced. Six witnesses have been examined.
3. We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 25 kgs. of *Ganja*, which is above commercial quantity from the joint possession of the petitioner and co-accused. 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 petitioner.
4. The application for bail is thus rejected.
5. Trial court is directed to conduct the trial as expeditiously as possible be fixing schedules at regular intervals and conclude the same at an early date preferably within one year 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)