

03.10.2023
Sl. No.7
akd
[Rejected]

C. R. M. (NDPS) 1554 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 Tapan Police Station Case No.246 of 2018 dated 02.10.2018 under Sections 21(c)/22(c)/23(c)/25/27A/29 of the NDPS Act.

And

In Re: ***Samir Das @ Sameer Das***

... .. Petitioner

Mr. Avinaba Patra

... .. for the petitioner

Mr. Ranabir Roy Chowdhury

Mr. Mainak Gupta

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for more than four years. It is further submitted there is delay in trial. Accordingly, he prays for bail.
2. Report is placed on record. A large number of witnesses have been examined. Only four witnesses are yet to be examined.
3. We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance above commercial quantity from the petitioner. Trial has significantly progressed. Only four witnesses are yet to be examined. Under such circumstances, 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 as expeditiously as possible preferably within six months 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.)