

27.09.2023

8
sdas
rejected

C.R.M.(NDPS) No. 1601 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with STF, Kolkata Police Station Case No. 15 of 2021 dated 13.08.2021 under Sections 21(c)/22(c)/29 of the NDPS Act.

And

In Re : Lalit Sahani petitioner

Mr. Amitabha Karmakar

Mr. Arup Kumar Bhowmick

....for the petitioner

Mr. Ranabir Roy Chowdhury

Mr. Mainak Gupta

..... for the State

1. Learned Counsel for the petitioner submits he is in custody for more than three years. It is also submitted that there is delay in trial. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail and submits charge has already been framed and date has been fixed for framing of charge.

3. We have considered the materials on record. 6.41 kgs. of Heroin was recovered from the petitioner. Charge has already been framed. 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 conduct the trial with expedition 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 this order to the trial court for necessary compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)