

13.10.2023

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rejected

C.R.M.(NDPS) No. 1608 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with N Case No. 116 of 2018 (NDPS 2535/2018) under Sections 22(c)/29 of the NDPS Act.

And

In Re : Ahammed Sayed petitioner

Ms. Juin Dutta Chakraborty
... for the petitioner

Mr. Bhaskar Prosad Banerjee
Mr. Tapan Bhanja
... for the DRI

1. Learned Counsel for the petitioner submits he is in custody for more than five years. He prays for bail on the ground of delay.
2. Report filed in Court is placed on record. From the report it appears trial is nearing completion. All prosecution witnesses have been examined. Date has been fixed for examination of the accused under Section 313 of the Code of Criminal Procedure.
3. We have considered the materials on record. In view of the advanced stage of trial and as delay was also contributed through adjournments sought on behalf of the defence, we are not inclined to grant bail to the petitioner either on merits or on the ground of delay in trial.
4. The application for bail is, thus, rejected.
5. Trial court is requested to conduct the trial and conclude the same at an early date 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 this order to the trial court for necessary compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)