

13.10.2023.
06.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1640 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection Special Case No.29 of 2022 arising out of Malda (T) GRPS Case No.06 of 2022 dated 14.02.2022 under Sections 20(c)/29 of the NDPS Act and charge sheet submitted under Sections 22(c)/29 of the NDPS Act.

In the matter of : **Manirul Molla @ Monirul Molla.**
... Petitioner.

Mr. Tapodip Gupta,
Mr. Suman Bhanja.

...for the Petitioner.

Mr. Antarikhya Basu.

...for the State.

1. Petitioner is in custody for one year and eight months. He submits there is delay in trial.
2. Learned Advocate for the State opposes the bail prayer. He submits report. From the report it appears trial has commenced.
3. We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show 39,800 pieces of yaba tablets containing methamphetamine above commercial quantity. Trial has already commenced.
4. 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.
5. Accordingly, the prayer for bail of the petitioner is rejected.

6. We request the trial court to conclude the trial within one year from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

7. Parties shall communicate this order to the Trial Court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)