

28.11.2023.
04.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1645 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.01 of 2020 arising out of Chinsurah P.S. Case No.470 of 2019 dated 29.12.2019 under Sections 20(b)(ii)(c) of the NDPS Act.

In the matter of : **Bubai Ball.**

... Petitioner.

Mr. Arunava Ganguly.

...for the Petitioner.

Mr. Sudip Ghosh, Sr. Govt. Adv.,
Mr. Koushik Kundu.

...for the State.

1. Petitioner is in custody for more than three years. He submits there is delay in trial. He prays for bail.
2. Learned Advocate for the State submits report and opposes the bail prayer.
3. We have considered the materials on record. Evidence on record shows recovery of narcotics above commercial quantity from the petitioner. Report submitted on behalf of the State indicates all prosecution witnesses have been examined. Date has been fixed for examination of accused under Section 313 of the Code of Criminal Procedure.
4. In view of the matured stage of the proceeding and ample evidence on record implicating the petitioner with regard to possession of narcotics above commercial quantity 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. Trial Court is requested to expedite the trial and conclude the same at an early date without granting unnecessary adjournment to either of the parties.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)