

12.10.2023

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rejected

C.R.M.(NDPS) No. 1680 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dadpur Police Station Case No. 195 of 2019 dated 05.12.2019 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Azharuddin Biswas @ Bulet petitioner

Mrs. Juin Dutta Chakraborty

Mr. B. Modak

... for the petitioner

Mr. Sanjoy Bardhan

Mr. Palash Kumar Majhi

... for the State

1. Learned Counsel for the petitioner submits he is in custody for four years. He prays for bail on the ground of delay in trial.
2. Learned Counsel for the State opposes the prayer for bail and submits prosecution evidence is complete and 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. Bail prayer of the petitioner was rejected earlier on merits. Thereafter trial has considerably progressed and date has been fixed for examination of the accused under Section 313 of the Code of Criminal Procedure.
4. Under such circumstances, we do not find any justification to release the petitioner on bail either on merits or on the ground of delay.

5. The application for bail is, thus, rejected.

6. Trial court is requested to dispose of the case within six months from the next date fixed for recording statement of the accused under Section 313 of the Code of Criminal Procedure.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)