

16.10.2023.
15.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1697 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.127 of 2022 arising out of Raninagar P.S. Case No.187 of 2022 dated 21.05.2022 under Sections 21(c)/29 of the NDPS Act.

In the matter of : **Safikul Islam @ Safiquil Islam & Anr.**

... Petitioners.

Mr. Arnab Chatterjee,
Mr. Anisur Rahman.

...for the Petitioners.

Mr. Antarikhya Basu.

...for the State.

1. Petitioners are in custody for one year and four months. They submit there is delay in trial. They pray for bail.
2. Learned Advocate for the State opposes the bail prayer. He submits charge has been framed and trial has commenced.
3. We have considered the materials on record. Statements of witnesses show petitioners were involved in transporting 559 bottles of phensedyl syrup containing codeine phosphate above commercial quantity across the international border.
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 petitioners.
5. Accordingly, the prayer for bail of the petitioners is rejected.
6. Prosecution proposes to examine 12 witnesses.

7. Under such circumstances, we request the Trial Court to conduct the trial as expeditiously as possible preferably within 18 months from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)