

16.11.2023

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rejected

C.R.M. (NDPS) No. 1739 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 542 of 2020 dated 10.07.2020 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Md. Manirul Sk. petitioner

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick
... for the petitioner

Mr. Ranabir Roy Chowdhury
Mr. Sandip Chakraborty
... for the State

1. Learned Counsel for the petitioner submits he is in custody for three years. He renews his bail prayer.

2. Learned Counsel for the State opposes the prayer for bail and submits narcotics above commercial quantity was recovered from the petitioner and co-accused. Bail prayer of the co-accused was rejected in April, 2023 and trial court was requested to conclude the trial within one year. Time frame has not expired.

3. We have considered the materials on record. Bail prayer of the petitioner and co-accused had been rejected earlier on merits. Lastly in April, 2023 bail prayer of co-accused was turned down and trial court was requested to conclude the trial within one year from the next date fixed for recording evidence. Time frame has not expired as yet.

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 at this stage.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)