

17.11.2023
Sl. No.9
akd
[Rejected]

C. R. M. (NDPS) 1747 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 16.10.2023 in connection with Domjur Police Station Case No.84 of 2021 dated 03.02.2021 under Sections 21(c)/22(c)/25/29 of the NDPS Act.

And

In Re: ***Momtaj Ali Sardar***

... .. Petitioner

Mr. Soumya Basu Roy Chowdhury

... .. for the petitioner

Mr. Sanjoy Bardhan

Ms. Debjani Dasgupta

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about three years. It is further submitted there is delay in trial. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits seven witnesses have already been examined.
3. We have considered the materials on record. Bail prayer of the petitioner was rejected on merits earlier. Seven witnesses have already been examined. Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.
4. The application for bail is thus rejected.
5. Trial court is directed to expedite the trial and conclude the same at an early date.
6. Parties shall communicate a copy of this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

