

20.11.2023.
04.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1754 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.49 of 2022 arising out of Usthi P.S. Case No.234 of 2022 dated 01.06.2022 under Sections 21(C) of the NDPS Act.

In the matter of : **Sahalam Halder.**

... Petitioner.

Mr. Asit Nayak.

...for the Petitioner.

Mr. Antarikhya Basu.

...for the State.

1. Petitioner is in custody for over a year. He submits there is delay in trial. He prays for bail.
2. Learned Advocate for the State opposes the bail prayer. He submits trial has commenced. One witness has already been examined.
3. We have considered the materials on record which show recovery of 107 bottles of codeine phosphate and other incriminating articles from the petitioner. Trial is in progress. One witness has already been examined.
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.
5. Accordingly, the prayer for bail of the petitioner is rejected.
6. Trial Court is requested to conclude the trial at an early date preferably within one year from the next date fixed

for recording evidence without granting unnecessary adjournment to either of the parties.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)