

28.11.2023.
09.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1838 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection N. Case No.115 of 2022 arising out of Duttapukur P.S. Case No.786 of 2022 dated 14.08.2022 under Sections 21(C) of the NDPS Act.

In the matter of : **Tushar Kanti Mazumdar @ Bishu.**
... Petitioner.

Mr. Pronojit Roy. ...for the Petitioner.

Ms. Faria Hossain,
Ms. Mamata Jana. ...for the State.

1. Petitioner contends he is in custody for over 400 days.

He renews his bail prayer.

2. Learned Advocate for the State opposes the bail prayer. He submits trial has commenced. One witness has been examined.

3. We have considered the materials on record. Petitioner has criminal antecedents. On his leading statement narcotics above commercial quantity was recovered from his house. His bail prayer was rejected earlier on merits. Since rejection of bail, trial has commenced and one witness has been examined.

4. Under such circumstances, we are of the opinion petitioner has failed to make out a case for bail either on merits or on the ground of delay.

5. Accordingly, the prayer for bail of the petitioner is rejected.

6. Trial Court is requested to expedite the trial and conclude the same at an early date without granting unnecessary adjournment to either of the parties.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)