

19.12.2023
Sl. No.17
akd
[Rejected]

C. R. M. (NDPS) 1958 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 30.11.2023 in connection with Lalgola Police Station Case No.515 of 2020 dated 16.12.2020 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.273 of 2020)

And

In Re: ***Ajjur Rahaman & Anr.***

... .. Petitioners

Mr. Jisan Iqbal Hossain
Ms. Chandrima Debnath

... .. for the petitioners

Mr. Ranadeb Sengupta

... .. for the State

1. It is submitted on behalf of the petitioners that they are in custody for more than three years. It is further submitted there is inordinate delay in trial. Accordingly, they pray for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits since rejection of bail by this court in February, 2023, trial has substantially progressed.
3. We have considered the materials on record. Allegations involve recovery of narcotics i.e. 400 gms. of *Heroin*, which is above commercial quantity from the joint possession of the petitioners. On merits their bail prayer was rejected in February, 2023. Thereafter, charge has been framed and six witnesses have already been examined. Prosecution is conducting the trial with adequate speed and it cannot be said that a case for bail on the ground of inordinate delay due to indolent prosecution is made out. Hence, we are not inclined to grant bail to the petitioners.
4. The application for bail is thus rejected.

5. Trial court is directed to conduct the trial with utmost expedition 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.)