

19.12.2023.
39.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1983 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.244 of 2021 arising out of Sagarpara P.S. Case No.185 of 2021 dated 26.10.2021 under Sections 21(C)/20(b) of the NDPS Act.

In the matter of : **Mahasin Ali.**

... Petitioner.

Mr. Arnab Chatterjee. ...for the Petitioner.

Mr. Debasish Roy, Id. P.P.,
Ms. Sreyashee Biswas. ...for the State.

1. Bail prayer of the petitioner was rejected in July, 2022.

It is contended in course of trial prosecution witnesses have not identified the petitioner. He renews his prayer for bail.

2. Learned Advocate for State opposes the bail prayer.

3. We have considered the materials on record. Case involves recovery of narcotics across international border. Trial is in progress. Aadhaar card of the petitioner was recovered from the spot. Though some of the witnesses have not identified the petitioner, there are other evidence on record implicating him in the crime. It may not be appropriate to assess the impact of the evidence of these witnesses at this stage.

4. Hence, 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.)