

20.12.2023
Sl. No.27
akd
[Rejected]

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

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 15.12.2023 in connection with Raghunathganj Police Station Case No.354 of 2021 dated 08.07.2021 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.131 of 2022)

And

In Re: ***Thiyam Surmangal Metei @ Thiyam Surmangal Meitei & Anr.***
... .. Petitioners

Mr. Arnab Chatterjee
Ms. Poulami Bose

... .. for the petitioners

Mr. Koushik Kundu

... .. for the State

1. It is submitted on behalf of the petitioners that they are in custody for about two years and five months. It is further submitted there is slow progress in trial. Accordingly, they pray for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits trial is in progress. Three witnesses have been examined.
3. We have considered the materials on record. On merits we note 4.2 kgs. of *Heroin* was recovered from a truck. Petitioners were present in the truck. Their bail prayer was rejected earlier on merits. On the score of delay we find trial has progressed considerably and three witnesses have been examined till date. Hence, no case for bail on the score of delay has been made out. Under such circumstances, we are not inclined to grant bail to the petitioners either on merits or on the score of delay in trial.
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.)