

14.12.2023
Item No.2
Ct. No. 5
CHC
(Rejected)

C.R.M.(NDPS) 2007 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Dalkhola** Police Station Case No. **264** of **2020** dated **10.11.2020** under Sections **21(c)/29** of the NDPS Act.

And

In the matter of: Goutam Roy

..... petitioner

Mr. Asim Kumar Chakraborti
....for the petitioner

Mr. Koushik Kundu
....for the State

Petitioner renews prayer for bail.

Learned advocate appearing for the petitioner submits that, the petitioner is in custody in excess of 1,100 days.

Learned advocate appearing for the State submits that, trial is in progress.

The next date fixed for the purpose of recording the evidence of the prosecution is February 19, 2024. Five prosecution witnesses were examined. The charge-sheet speaks of 18 prosecution witnesses. The trial is in progress. Materials in the Case Diary suggest complicity of the petitioner in the

offences that, the petitioner is charged with. Commercial quantity of narcotics were recovered from the petitioner.

In such circumstances, we are of the view that, petitioner is unable to overcome the restrictions under Section 37 of the N.D.P.S. Act, 1985.

We, however, request the learned trial Judge to expedite the trial. He is requested to invoke the provisions of Section 309 of the Criminal Procedure Code and not to grant any unnecessary adjournments to any of the parties.

Prayer for bail of the petitioner is rejected.

CRM(NDPS) 2007 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)