

21.12.2023
tkm/ct 28
sl no. 33

C.R.M. (NDPS) 2049 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Naihati P.S. Case No. 139 of 2022 dated 27.3.2022 under sections 21(c) of the NDPS Act,
And

In Re : Sk Afjal @ Gollu @Tinku petitioner

Mr. S Bhatta
Mr. Suman Chakraborty
..... for the petitioner
Mr. Debasish Roy
Ms. Sreyashee Biswas
..... for the State

1. Petitioner is in custody for about two years. There is delay in trial. He prays for bail.
2. Learned lawyer for the State submits date has been fixed for recording evidence.
3. We have considered the materials on record. Statements of witnesses and contemporaneous documents i.e. seizure memorandum show recovery of narcotic substance above commercial quantity i.e. 2.1 kgs of codeine phosphate from the petitioner. Date has been fixed for recording evidence.
4. Under such circumstances we are not inclined to grant bail to the petitioner either on merits or on the ground of delay.
5. Accordingly, prayer for bail is rejected.
6. Trial court is requested to conclude the trial as expeditiously as possible preferably within one year from the next date fixed for recording evidence without granting unnecessary adjournments to either of the parties
7. Parties shall communicate this order to trial court for necessary compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)