

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri**

27.02.2023
34.
Ct.No.1
as
(Rejected)

C.R.M. (NDPS) 162 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 20 of 2021 arising out of Kuchibari P.S. Case No.07 of 2021 dated 08.02.2021 under Section 21(c)/22 of the NDPS Act.

In the matter of : Md. Jahirul @ Jahirul Haque.
... Petitioner.

Mr. Biswarup Roy.
...for the Petitioner.

Mr. Ujjwal Luksom,
Ms. Namrata Das.
...for the State.

Petitioner is in custody for more than two years. He submits there is delay in trial. He prays for bail.

Learned Advocate for the State opposes the bail prayer. He submits trial is in progress. CFSL report be filed shortly.

We have considered the materials on record. Witnesses have already been examined. Trial is in progress. Learned Public Prosecutor assures CFSL report shall be filed within a month.

Under such circumstances and in view of statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

Trial court is requested to expedite the trial and conclude the same 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.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)