

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

11.04.2023
Court No.1
(D/L 32)
(rejected)

CRM (NDPS) 271 OF 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 04.04.2023 in connection with Kotwali Police Station Case No.748 of 2018 dated 26.10.2018 under Sections 20 (b)(ii)(c)/25 of the NDPS Act, 1985 corresponding to NDPS Case No.49 of 2018.

And

In the matter of: **Rohit Ram**

... Petitioner.

Ms. Ashima Mandala
Ms. Deborshi Dhar
Mr. Surya Pratap Singh
Ms. Mandakini Singh

... for the petitioner.

Mr. Niloy Chakraborty
Mr. Sourav Ganguly

... for the State.

Learned counsel appearing for the petitioner submits that the petitioner is in custody for more than four (04) years and it was also submitted that there is delay in trial.

We have considered the materials on record.

The petitioner approached the Hon'ble Apex Court, wherein the Apex Court has given liberty to the petitioner to seek bail in the event, the trial is not completed within four (04) months. A report has been filed by the learned counsel appearing for the State, wherein it can be seen that the complainant in this case SI Baishista Shil has expired.

Under such pretext, the learned trial Court is directed to complete the trial at the earliest, preferably within a period of eight (08) months from date.

However, the application for bail is rejected at this stage, the petitioner is at liberty to renew its prayer for bail, if the trial is not completed within eight (08) months.

The application for bail is, accordingly, rejected.

[SHAMPA DUTT (PAUL), J.]

(RAJARSHI BHARADWAJ, J.)