

06.6.2023
Court No.01
Item No. 15
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**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

CRM (NDPS) 320 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with New Jalpaiguri Police Station Case No. 64 of 2022 dated 12.01.2022 under Sections 21(c)/22(c)/23(c)/25/27A/28/29/30 of the Narcotics Drugs and Psychotropic Substances Act, 1985.

And

In Re: **Dalim Shekh**

.... Petitioner

Mr. Niloy Chakraborty
Mr. Arjun Chowdhury

... For the State

The petition is not represented.

It appears from the record that on 5th December, 2022 the petitioner along with other co-accused persons filed an application for bail and that was rejected on 5th December, 2022.

Learned counsel appearing for the State submits that in terms of the order dated 5th December, 2022 the trial has commenced.

It appears that the coordinate bench directed the trial court to expedite the examination of the witnesses and completion of the trial preferably within one year from date. The period of one year has not yet expired. Moreover, we have taken into consideration that the seizure memorandum would show recovery of 2.5 kgs brown sugar from the joint possession of the petitioner and the co-accused.

Under such circumstances, we are not inclined to grant bail to the petitioner.

The application for bail of the petitioner is rejected. CRM 320 of 2023 is accordingly, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Raja Basu Chowdhury, J.)

(Soumen Sen, J.)