

16.06.2023
Court No.1
Item No.36
Rejected

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

sg

CRM (NDPS) 421 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bagdogra Police Station Case No. 171 of 2017 dated 03.07.2017 under Section 20(b)(II)/(C) of NDPS Act.

And

In Re: **Balkar Singh**

Petitioner

Mr. Pritam Roy
Ms. Sunayana Prasad

For the Petitioner

Mr. Aditi Shankar Chakraborty
Mr. Arjun Chowdhury

For the State

1. The learned Counsel for the petitioner submits that there has been slow progress in the trial and the evidence of record so far recorded would show that the petitioner is innocent and in all likelihood, he would be acquitted.
2. The learned Counsel for the State, in opposition the prayer for bail, has submitted that the trial has proceeded substantially and only five witnesses are left to be examined.
3. Considering the fact that the petitioner is in custody for over six years, we request the learned Trial Court to conclude the trial preferably within a period of six months from the next date fixed without granting any adjournment to the parties.

4. The prosecution witnesses are directed to appear on the date to be fixed by the Trial Court.
5. The District Additional Public Prosecutor is directed to ensure compliance of this order by ensuring that the prosecution witnesses and more particularly, the official witnesses are present on the date to be fixed by the trial Court.
6. The application for bail is rejected. CRM (NDPS) 421 of 2023 is, accordingly, disposed of.
7. 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)