

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

18.08.2023
Court No.1
(D/L 07)
(AK)

CRM (NDPS) 574 OF 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 10.08.2023 in connection with NJP GRPS Case No.01 of 2022 dated 06.01.2022 under Sections 21(c)/29 of N.D.P.S. Act, 1985.

And

In the matter of: **Samsul Shaikh**

... Petitioner.

Mr. Kumar Shantanu

...for the petitioner.

Mr. Aditi Shankar Chakraborty
Mr. Kallol Nag

... for the State.

Upon considering the submissions made on behalf of the parties, we find that the recovery involves a large quantity of narcotic substance.

We are concerned, however, with the zero progress in the trial. The petitioner was arrested on 6th January, 2022 and the charge sheet was framed on 28th February, 2022. Admittedly, charges have not been framed and none of the ten witnesses have been examined till date.

The petitioner has been in custody for more than 546 days.

Although we are not inclined to allow the prayer for bail on the quantity of the seized substance, we deem it fit to direct the special

NDPS Court, Jalpaiguri to expedite the trial and make an effort to complete the same within eight months from today. We note that charges are yet to be framed and the next date has been fixed on 28th September, 2023 for production.

We make it clear that the petitioner shall be entitled to seek further orders if there is continuing delay in the trial.

CRM (NDPS) 574 of 2023 is accordingly rejected and disposed of in terms of the above.

(PRASENJIT BISWAS, J.)

(MOUSHUMI BHATTACHARYA, J.)