

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

18.08.2023
Court No.1
(D/L 11)
(AK)

CRM (NDPS) 580 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 Naxalbari Police Station Case No.283 of 2021 dated 15.12.2021 under Sections 21(c)/22(c) of N.D.P.S. Act, 1985.

And

In the matter of: **Sri Sanjay Sen**

... Petitioner.

Mr. Dhiraj Lakhotia

...for the petitioner.

Mr. Abhijit Sarkar
Mr. Anirddha Biswas

... for the State.

Learned counsel appearing for the petitioner complains that there has been inordinate delay in the trial despite an order passed by a coordinate Bench on 27th February, 2023 directing the trial to be concluded expeditiously within one year from the next date fixed for recording evidence.

We find that the next date fixed was on 21st August, 2023.

Learned counsel appearing for the petitioner is not sure of the dates of hearing which took place after the order passed by the coordinate Bench.

It, however, appears from the submissions made on behalf of the prosecution that the learned Public Prosecutor took one adjournment in the month of July, 2023.

We find that the examination has already started and we are further of the view that the petitioner will certainly have a case for further orders if the trial is not concluded by March, 2024.

We accordingly direct the Special NDPS Court, Siliguri to comply with the direction passed by a coordinate Bench and make an effort to conclude the trial within March, 2024.

CRM (NDPS) 580 of 2023 is accordingly rejected and disposed of in terms of the above.

(PRASENJIT BISWAS, J.)

(MOUSHUMI BHATTACHARYA, J.)