

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

25.08.2023
Court No.1
(D/L 10)
(AK)

CRM (NDPS) 609 OF 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 14.08.2023 in connection with Siliguri Police Station Case No.154 of 2022 dated 29.01.2022 under Sections 21(c)/22(c) of N.D.P.S. Act, 1985.

And

In the matter of: **Sajjad Ali**

... Petitioner.

Mr. Arunava Paul

...for the petitioner.

Mr. Kallol Acharjee
Mr. Sourav Ganguly

... for the State.

The petitioner renews his prayer for bail. The first rejection was of 28th July, 2022 and the next is of 27th February, 2023.

Although, learned counsel appearing for the petitioner submits that the FIR/charge sheet discloses a discrepancy on the number of persons and vehicles from which the narcotic substances were recovered, we are of the view that this fact would not constitute a subsequent event which would persuade us to take a re-look of the matter. In any event, as submitted on behalf of the prosecution, the trial has already commenced and the next date is fixed on 30th November, 2023.

We, however, note that there is some delay in the trial since the last date was fixed on 8th June, 2023.

We, therefore, direct the learned NDPS Court, Siliguri to expedite the trial and give liberty to the petitioner to renew his prayer for bail if there is inordinate delay in the trial.

We are, however, not inclined to grant the prayer for bail.

CRM (NDPS) 609 of 2023 is accordingly rejected and disposed of in terms of the above.

(PRASENJIT BISWAS, J.)

(MOUSHUMI BHATTACHARYA, J.)