

AD-56
Ct No.01
Jalpaiguri
20.09.2023
SP

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (NDPS) 733 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **11.09.2023** in connection with **Kumargram** Police Station Case No. **316** of **2022** dated **22.10.2022** under Section **20(b)(ii)(c)/25/29 of the NDPS Act.**

And

In the matter of: PRAHLAD KUMAR AND ANR petitioners

Mr. Sudhindra Das

... for the petitioners

Mr. Kallol Acharjee

Mr. Kallol Nag

... for the State

1. The petitioners are in custody for about 334 days. It is argued by the petitioners that the charge-sheet has been filed but no copy thereof has been handed over to the petitioners. Further, no charges have yet been framed.
2. Learned counsel for the State opposes the prayer for bail and contends that October 6, 2023 has been fixed as the next date for trial.
3. Keeping in view the nature of the offence and the restrictions imposed under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioners at this stage.

4. Accordingly, CRM (NDPS) 733 of 2023 is dismissed.
5. However, it is expected that the Trial shall be expedited and shall preferably be concluded within one year from date.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)