

16.01.2024.
18.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 37 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.13 of 2020 arising out of S.T.F. P.S. Case No.10 of 2020 dated 16.02.2020 under Sections 21(c)/29 of the NDPS Act.

In the matter of : **Sunil Howlader.**

... Petitioner.

Mr. Sourav Chatterjee,
Mr. Joy Chakraborty,
Mr. Sandip Dinda.

...for the Petitioner.

Mr. Joydeb Biswas.

...for the State.

1. Pursuant to our earlier order, Officer-in-charge, STF Police Station is present in Court today. His presence is noted and dispensed with.

2. Petitioner is in custody for two years and ten months. He contends no narcotics was recovered from his possession. There is inordinate delay in trial. Accordingly, he prays for bail.

3. Learned Advocate for the State opposes the bail prayer. He contends petitioner has criminal antecedents. CDRs show telephonic exchanges between petitioner and co-accused viz., Jasimuddin Mandal from whom narcotics above commercial quantity was recovered. There are other incriminating evidence showing close relationship between petitioner and co-accused viz., Jasimuddin Mandal.

4. We have considered the materials on record. Petitioner has criminal antecedents. He had been arrested in a narcotic

case earlier. Though no narcotics was recovered from the petitioner, in view of the aforesaid materials on record including his antecedents, we are of the opinion this is not a fit case to release him on bail.

5. Accordingly, the prayer for bail of the petitioner is rejected.

6. We request the trial court to conduct the trial with utmost expedition and conclude the same at an early date preferably within one year from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

7. Parties shall communicate this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)