

10.01.2024
sdas/tkm/ct 28
sl no. 22

C.R.M. (NDPS) 43 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Raninagar PS case no. 222 of 2022 dated 15.6.2022 under section 21(c)/29 of the NDPS Act
AND

In Re : Abdul Momin petitioner

Mr. Jisan Hossain
Ms. C Debnath

..... for the petitioner

Mr. Mianak Gupta

..... for the State

1. Petitioner is in custody for about two years. He submits there is delay in trial.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the materials on record. Materials on record show recovery of narcotics above commercial quantity i.e. 280 bottles of phensedyl syrup containing codeine phosphate from the petitioner. Charge has already been framed and date has been fixed for recording prosecution evidence.
4. Under such circumstances and in view of the statutory restrictions under section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.
5. Accordingly, the prayer for bail is rejected.
6. We request the trial court to conclude the trial as expeditiously as possible preferably within one year from the next date fixed for recording evidence and by fixing schedules at short intervals without granting unnecessary adjournments to either of the parties.
7. Parties shall communicate this order to the trial court for necessary compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)