

16.01.2024.
20.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 88 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with N Case No.66 of 2022 arising out of Swarupnagar P.S. Case No.472 of 2022 dated 12.05.2022 under Sections 21(c) of the NDPS Act.

In the matter of : **Nurul Hassan Mondal @ Iyias Mondal.**
... Petitioner.

Mr. Mazahar Hossain Chowdhury.
...for the Petitioner.

Mr. Sujan Chatterjee.
...for the State.

1. Petitioner is in custody for one year and eight months. He contends there is delay in trial. Accordingly, he prays for bail.

2. Learned Advocate for the State opposes the bail prayer. He contends two witnesses have been examined.

3. We have considered the materials on record. It is alleged 4.8 ltrs. of codeine phosphate was recovered from the petitioner. We note by order dated 04.07.2023 in CRR 2384 of 2023, a learned Single Judge of this Court directed the trial court to fix schedules of three dates in every two months and conclude examination of witnesses. This direction is being complied with and witnesses have been examined. Next schedule is fixed in the month of February, 2024.

4. Under such circumstances, we are of the opinion no case for bail on the ground of delay in trial is made out at present.

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

6. We request the trial court to conclude the trial as expeditiously as possible in terms of direction in CRR 2384 of 2023.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)