

16.01.2024.
23.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 91 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.89 of 2017 arising out of Taratola P.S. Case No.136 of 2017 dated 18.07.2017 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

In the matter of : **Kartick Kundu.**

... Petitioner.

Mr. Amanul Islam,
Mr. Sourav Mukherjee,
Mr. Arka Chakraborty.

...for the Petitioner.

Mr. Ranadeb Sengupta.

...for the State.

1. Petitioner is in custody for more than six years. He submits there is inordinate delay in trial. Accordingly, he prays for bail.

2. Learned Advocate for the State opposes the bail prayer. He contends defense had contributed to the delay. A large volume of ganja was recovered from the petitioner and co-accused.

3. We have considered the materials on record. 313 kgs. of ganja was recovered from co-accused. On the leading statement of the petitioner, another consignment of ganja i.e. 32 kgs. was recovered from his residence. Trial is at its fag end and date has been fixed for examination of the last prosecution witness viz., Investigating Officer.

4. Keeping in mind the gravity of the offence and the fact that the trial is at its fag end, we are not inclined to grant bail to the petitioner.

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

6. We request the trial court to conclude the trial at an early date preferably within six months 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.)