

17.01.2024
Sl. No.20
akd
[Rejected]

C. R. M. (NDPS) 107 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 09.01.2024 in connection with Uluberia Police Station Case No.225 of 2020 dated 10.09.2020 under Section 20(b)(ii)(c) of the NDPS Act.

And

In Re: ***Goutam Sengupta @ Mithu***

... .. Petitioner

Mr. Soumya Basu Roy Chowdhury

... .. for the petitioner

Mr. Koushik Kundu

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about three years and four months. It is further submitted there is inordinate delay in trial. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits bail prayer of co-accused was rejected earlier. By order dated 13.12.2022 in CRM (NDPS) 1438 of 2022, direction was given to the trial court to conclude trial within one year. The same was communicated in June, 2023 and the said period has not expired till date.
3. We have considered the materials on record. There are ample evidence implicating the petitioner in dealing in narcotics. Bail has been prayed on the ground of delay in trial. On similar count bail prayer of co-accused has been rejected earlier and in CRM (NDPS) 1438 of 2022 trial court was directed to conclude trial within one year. But the said direction had not been communicated to the trial court till June, 2023. In view of the aforesaid conduct on behalf of the defence, we are of the opinion this is not a fit case to grant bail

to the petitioner at this stage. Be that as it may, trial has considerably progressed.

4. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)