

22.01.2024.
07.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 139 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Special Case No.83 of 2021 arising out of English Bazar P.S. Case No.1154 of 2021 dated 08.09.2021 under Sections 21(c)/29 of the NDPS Act.

In the matter of : **Amanatullah Khan.**

... Petitioner.

Md. Wasim Akram.

...for the Petitioner.

Mr. Dipankar Paramanick.

...for the State.

1. Petitioner is in custody for two years and four months. He submits there is delay in trial. Accordingly, he prays for bail.

2. Learned Advocate for State opposes the bail prayer. He submits 305 gms. of heroin was recovered from the petitioner. On his leading statement, another 100 gms. of heroin was recovered. On the leading statement of co-accused another 300 gms of heroin was recovered. Bail prayer of co-accused was turned down in December, 2022.

3. We have considered the materials on record. Large volume of narcotics was recovered from petitioner and co-accused. Bail prayer of co-accused was rejected in December, 2022. There is hardly any change in circumstance since then.

4. Under such circumstances and in view of statutory restrictions under Section 37 of the NDPS, we are not inclined to grant bail to the petitioner at this stage.

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

6. We request the trial court to conduct the trial with 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)