

16.02.2024.
06.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 199 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with N Case No.87 of 2021 arising out of Baranagar P.S. Case No.563 of 2021 dated 06.10.2021 under Sections 29/21(c) of the NDPS Act.

In the matter of : **Md. Nadeem @ Nadim.**

... Petitioner.

Mr. Debasis Kar,
Mr. Arka Tilak Bhadra.

...for the Petitioner.

Mr. Iqbal Kabir.

...for the State.

1. Petitioner contends he is in custody for more than two years. There is little possibility of trial concluding in the near future. Accordingly, he prays for bail.

2. In view of the aforesaid submission and as date of examination of witnesses was fixed in this month, we adjourned the hearing of the matter till 16th February, 2024. Petitioner fairly submits prosecution has examined witnesses in the meantime. Five prosecution witnesses have already been examined.

3. In light of the prompt efforts of the prosecution to examine its witnesses, we are of the opinion petitioner is not entitled to bail on the ground of delay in trial at present.

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

5. We request the trial court to conduct the trial with utmost expedition and conclude the same 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.

6. Parties shall co-operate with the trial court and communicate this order for due compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)