

31.01.2024.
11.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 189 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Special Case No.29 of 2022 arising out of Ketugram P.S. Case No.247 of 2022 dated 30.05.2022 under Sections 20(b)(ii)(c)/25/29 of the NDPS Act and under Sections 25(1B)(a)/27 of the Arms Act.

In the matter of : **Arman Sekh @ Arman Sk @ Anar.**
... Petitioner.

Mr. Aniruddha Bhattacharyya,
Mr. Indranuj Dutta,
Mr. Asmanur Quail,
Ms. Benazir Sk.

...for the Petitioner.

Mr. Prasun Kr. Dutta, Id. A.P.P.,
Ms. Ratna Ghosh.

...for the State.

1. Petitioner is in custody for one year and three months. He submits no narcotics was recovered from his possession. Accordingly, he renews his bail prayer.
2. Learned Advocate for the State opposes the bail prayer. He contends trial has commenced. Two witnesses have been examined.
3. We have considered the materials on record. Petitioner is a conspirator in dealing in narcotics. On his leading statement 6.5 kgs. of ganja was recovered from the house of a co-accused. From another co-accused 21.5 kgs. of ganja has been recovered. Charges have been framed and trial is in progress and two witnesses have already been examined.

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

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

6. We request the trial court to conclude the trial 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)