

01.02.2024

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rejected

C.R.M.(NDPS) No. 205 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raninagar Police Station Case No. 451 of 2021 dated 09.10.2021 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Bapan Sk. @ Bapon Sk. & Ors. petitioners

Ms. Shabana Hasin

....for the petitioners

Mr. Anand Keshari

... for the State

1. Learned Counsel for the petitioners submits they renew their bail prayer on the ground of delay in trial.

2. Learned Counsel for the State opposes the bail prayer and submits delay was due to abscondence of the co-accused and bail prayer of the petitioners was rejected in July, 2023. Thereafter charge has been framed and two witnesses have been examined.

3. We have considered the materials on record. 350 bottles of Phensedyl Syrup were recovered from the petitioners. Delay in the matter was due to abscondence of co-accused and bail prayer on the ground of delay was rejected in July, 2023. Thereafter prosecution has framed charges and proceeded to examine two witnesses. Under such circumstances we are of the opinion this is not a fit case to release the petitioner on bail either on merits or on the ground of delay.

4. Application for bail is, thus, rejected.

5. We request the trial court to conduct trial with utmost expedition and conclude the same within one year 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 and communicate this order to the trial court for due compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)