

16.02.2024.
07.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 254 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with N Case No.31 of 2021 arising out of Belgharia P.S. Case No.296 of 2021 dated 01.05.2021 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

In the matter of : **Sri Ranjit Das & Anr.**

... Petitioners.

Mr. Debasis Kar,
Mr. Arka Tilak Bhadra.

...for the Petitioners.

Mr. Ranadeb Sengupta.

...for the State.

1. Petitioners contend they are in custody for two years and ten months. They pray for bail on the ground of delay.
2. Learned Advocate for the State submits trial is at its fag end.
3. We have considered the materials on record. Prosecution witnesses have already been examined and accused has also been examined under Section 313 of the Code of Criminal Procedure. Date has been fixed for examination of defence witness but defence did not produce its witness. Protraction in the trial is not at the behest of the prosecution.
4. Under such circumstances, we are not inclined to grant bail to the petitioners on the score of delay.
5. Accordingly, the prayer for bail of the petitioners is rejected.

6. We direct the trial court to ensure that the defence witnesses are examined at the earliest and the case be concluded at an early date without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)