

09.02.2024
Sl. No.12
akd
[Rejected]

C. R. M. (NDPS) 269 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 02.02.2024 in connection with Kaliachak Police Station Case No.1344 of 2021 dated 03.12.2021 under Sections 21(c)/29 of the NDPS Act.

And

In Re: ***Md. Raju Sk.***

... .. Petitioner

Md. Wasim Akram

... .. for the petitioner

Mr. Iqbal Kabir

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for more than two years. It is further submitted there is inordinate delay in trial. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits date has been fixed for recording evidence in March, 2024.
3. We have considered the materials on record. Police personnel recovered narcotics i.e. 960 gms. of *Yaba* tablets from the petitioner. He is in custody for over two years. One prosecution witness has been examined in full and another has been examined in part. In view of the aforesaid and the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.
4. The application for bail is thus rejected.
5. Trial court is directed to fix schedules at short intervals and 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.

6. Parties shall communicate a copy of this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)