

15.03.2024

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rejected

C.R.M.(NDPS) No. 325 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nischinda Police Station Case No. 138 of 2021 dated 05.08.2021 under Sections 20(b)(ii)(c)/25/29 of the NDPS Act.

And

In Re : Nasiruddin Mondal & Ors. Petitioners

Sk. Toslim Ali

....for the petitioners

Mr. Ranadeb Sengupta

..... for the State

1. Learned Counsel for the petitioners submits they are in custody for two years and seven months. It is also submitted there is inordinate delay in trial. They pray for bail.

2. Learned Counsel for the State opposes the bail prayer and submits report with regard to status of the trial. Let the report be kept on record. He submits most of the prosecution witnesses have been examined. Last prosecution witness i.e. Investigating Officer has been partly examined.

3. We have considered the materials on record. Recovery from the petitioner is above commercial quantity. Trial has substantially progressed. Most of the prosecution witnesses have been examined. Prosecution assures that trial shall be completed within six months from the next date fixed before that trial court. Under such circumstances we are not inclined to grant bail to the petitioner.

4. Application for bail is, thus, rejected.

5. Trial court is directed to expedite the trial and conclude the same at an early date without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)