

29.02.2024

9

sdas

rejected

C.R.M.(NDPS) No. 334 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Airport Police Station Case No. 151 of 2020 dated 16.09.2020 under Sections 20(b)(ii)(c)/28/29 of the NDPS Act.

And

In Re Vijay Rai alias Bijay Rai Petitioner

Mr. Debasis Kar

....for the petitioner

Mr. Soumik Ganguli

..... for the State

1. Learned Counsel for the petitioner submits he is in custody for more than three years. It is also submitted there is delay in trial. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail and submits trial is in progress.

3. We have considered the materials on record. Large volume of narcotics i.e. 1130 kgs. of Ganja was recovered from two vehicles. Petitioner was present in one of the vehicles. In view of large volume of narcotics recovered his bail prayer was rejected on merits earlier by order dated 14.03.2023 in CRM (NDPS) 365 of 2023. This Court directed trial to be concluded within one year from the next date fixed for recording evidence. Petitioner is unable to place on record communication of this order to the trial court. This shows indifferent attitude of the petitioner. Under such circumstances, we are not inclined to grant bail to the petitioner either on merits or on the ground of delay in trial.

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 eight months from the next date fixed for recording evidence without granting unnecessary delay to either of the parties.

6. Parties shall co-operate with the trial and communicate this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)