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sdas
rejected

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Berhampore Police Station Case No. 155 of 2022 dated 05.02.2022 under Sections 22(c)/29 of the NDPS Act.

And

Mr. Debanshu Ghorai

Mr. Anisur Rahman

....for the petitioner

Mr. Bitasok Banerjee

..... for the State

1. Learned Counsel for the petitioner submits he has been

2. Learned Counsel for the State opposes the prayer for bail

3. We have considered the materials on record. 6500 bottles of

Phensedyl Syrup containing codeine phosphate were recovered from the possession of the petitioner and others. Bail prayer of the co accused Krishnapada Mandal was turned down by this Court in November, 2023. Petitioner and Krishnapada Mandal do not stand on the same footing with the other accused Basanti Mondal who has been enlarged on bail by the Hon'ble Apex Court. Prayer for bail of the petitioner was not pressed before the said forum. Hence, we are not inclined to grant bail to the petitioner on merits.

4. On the score of delay we note by order dated 24.11.2023 in CRM (NDPS) 1692 of 2023 trial court was directed to conduct the trial expeditiously and conclude the same preferably within eighteen months. Time frame proposed by this Court has not expired. Accordingly, we are not inclined to consider bail to the petitioner on the ground of delay at this stage.

5. The application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)