

01.03.2024

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rejected

C.R.M.(NDPS) No. 388 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Suti Police Station Case No. 204 of 2021 dated 05.06.2021 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Senamul Sk. & Anr. petitioners

Mr. Arnab Chatterjee

....for the petitioners

Mr. Koushik Kundu

... for the State

1. Learned Counsel for the petitioners submits they are in custody for more than two years and eight months. It is also submitted there is slow progress in trial. They renew their bail prayer.

2. Learned Counsel for the State opposes the bail prayer and submits large volume of Yaba Tablets was recovered from the petitioners and co-accused. Three witnesses have already been examined.

3. We have considered the materials on record. Initially there was delay due to non-submission of chemical report. Post submission of chemical report trial has proceeded with reasonable speed. Three witnesses have already been examined. There is possibility of concluding trial in the near future. Under such circumstances and as quantity of narcotics

recovered is above commercial quantity we are not inclined to grant bail to the petitioners.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)