

01.03.2024.
26.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 403 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.142 of 2022 arising out of Beldanga P.S. Case No.322 of 2022 dated 04.06.2022 under Section 21(c) of the NDPS Act.

In the matter of : **Dilbar Hossain @ Bagh Sk.**
... Petitioner.

Md. Golam Nure Imrohi.
...for the Petitioner.

Mr. Ashok Das.
...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Petitioner is in custody for one year and eight months. 75 bottles of phensedyl syrup were recovered from him. On such score, his bail prayer was rejected in July, 2023. Thereafter, charge has been framed and two witnesses have been examined. It cannot be said prosecution is indolent in the matter.
3. Under such circumstances and in view of statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.
4. Accordingly, the prayer for bail of the petitioner is rejected.
5. We request the trial court to conclude the trial as expeditiously as possible 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 court and communicate this order for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)