

07.03.2024

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rejected

C.R.M.(NDPS) No. 451 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chakulia Police Station Case No. 44 of 2022 dated 17.02.2022 under Section 21(c) of the NDPS Act.

And

In Re : Rakesh Ranjan petitioner

Mr. Pronojit Roy

....for the petitioner

Mr. Sanjib Kumar Dan

..... for the State

1. Learned Counsel for the petitioner submits he is in custody for more than 700 days. He prays for bail on the ground of delay in trial.

2. Learned Counsel for the State opposes the prayer for bail and submits three witnesses have already been examined. He assures the Court remaining witnesses shall be examined within six months subject to co-operation by the defence and systematic delays.

3. We have considered the materials on record. Narcotics above commercial quantity i.e. 130 bottles of Phensedyl Syrup were recovered from the petitioner and co-accused. Trial is in progress and three out of seven witnesses have been examined. Under such circumstances and in light of assurance given on behalf of the State that witnesses shall be examined within six months from the next date fixed for

recording evidence we are not inclined to grant bail to the petitioner at this stage.

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.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)