

15.03.2024.
16.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 513 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.20 of 2022 arising out of Goalpokher P.S. Case No.84 of 2022 dated 01.03.2022 under Sections 21(C)/29 of the NDPS Act.

In the matter of : **Md. Sohail @ Sohail.**

... Petitioner.

Md. Nauroz Rahber,
Mohammad Jowwod.

...for the Petitioner.

Mr. Arani Bhattacharyya.

...for the State.

1. Petitioner is in custody for 581 days. He submits there is delay in trial. Accordingly, he prays for bail.

2. Learned Advocate for the State opposes the bail prayer. He submits narcotics was recovered from the residence of the petitioner. He had absconded. Trial is in progress. Seven out of fourteen witnesses have already been examined.

3. We have considered the materials on record. Narcotics above commercial quantity i.e. 1050 bottles of phensedyl syrup containing codeine phosphate were recovered from the residence of the petitioner and his father. Petitioner had absconded and was arrested after six months. Trial is in progress. Seven witnesses have already been examined.

Prosecution assures this Court trial shall be concluded shortly.

4. Under such circumstances, we are not inclined to grant bail to the petitioner.

5. Accordingly, the prayer for bail of the petitioner is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)