

19.03.2024.
24.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 525 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.61 of 2022 arising out of Kaliyaganj P.S. Case No.357 of 2022 dated 26.07.2022 under Section 21(C) of the NDPS Act and charge sheet submitted under Sections 21(C) of the NDPS Act.

In the matter of : **Abdul Majid @ Abdul Mojid.**
... Petitioner.

Mr. Pronojit Roy.
...for the Petitioner.

Mr. Sudip Comer.
...for the State.

1. Petitioner submits he is in custody for over 600 days.

There is delay in trial. Accordingly, he prays for bail.

2. Learned Advocate for the State opposes the bail prayer. He contends 13 out of 21 witnesses have already been examined. He assures this Court prosecution shall conclude the trial within eight months from the next date fixed for recording evidence subject to co-operation by defence and systemic reasons.

3. We have considered the materials on record. 16 bottles of phensedyl syrup were recovered from the petitioner. Trial has substantially progressed and 13 witnesses have already been examined. Prosecution assures this Court trial shall be concluded within eight months from the next date fixed for recording evidence subject to co-operation by defence and systemic reasons.

4. 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 at this stage.

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

6. Trial court is requested to expedite the trial in the light of the assurance given by the prosecution.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)