

21.03.2024
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rejected

C.R.M.(NDPS) No. 542 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 40 of 2021 dated 09.01.2021 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Abdul Kuddus @ Kuddus Sk. & Anr. Petitioners

Mr. Arup Kumar Bhowmick
....for the petitioners

Mrs. Amita Gaur
..... for the State

1. Learned Counsel for the petitioners submits they are in custody for more than three months. They pray for bail on the ground of delay in trial.

2. Learned Counsel for the State opposes the bail prayer and submits trial is at a mature stage. Date has been fixed for examination of accused under Section 313 of the Code of Criminal Procedure.

3. We have considered the materials on record. Allegations involve recovery of narcotics i.e. 315 gms. of Brown Sugar which is above commercial quantity. Trial is at a mature stage and date has been fixed for examination of accused under Section 313 of the Code of Criminal Procedure. Prosecution

assures this Court that trial shall be concluded within six months from date subject to co-operation by the defence and systemic reasons. Under such circumstances and in view of assurance given by the prosecution we are not inclined to grant bail to the petitioners.

4. Application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)