

08.04.2024.
13.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 614 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.05 of 2022 arising out of Raghunanthganj P.S. Case No.820 of 2021 dated 24.12.2021 under Sections 21(c)/29 of the NDPS Act.

In the matter of : **1) Habibur Rahaman @ Jokar &
2) Abu Taher Sk.**

... Petitioners.

Mr. Tapodip Gupta.

...for the Petitioners.

Ms. Diksha Ghosh.

...for the State.

1. Petitioners are in custody for two years and three months. They submit there is delay in trial. Accordingly, they pray for bail.

2. Learned Advocate for the State opposes the bail prayer. He submits trial has substantially progressed. Seven out of ten witnesses have been examined.

3. We have considered the materials on record. Bail prayer of the petitioners was rejected earlier on merits. Trial has substantially progressed. Seven out of ten witnesses have been examined. Prosecution assures this Court to conclude trial within six months from the next date fixed for recording evidence subject to co-operation by the defence and systemic delays.

4. In view of the aforesaid circumstances and the assurance held out by the prosecution, we are not inclined to grant bail to the petitioners at this stage.

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

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

7. Parties shall co-operate with the trial court in this regard.

(Prasenjit Biswas, J.)

(Joymalya Bagchi, J.)