

06.05.2024.
07.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 770 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.07 of 2023 arising out of Kaliachawk P.S. Case No.35 of 2023 dated 08.01.2023 under Sections 21(C)/29 of the NDPS Act.

In the matter of : **Sujan Mandal.**

... Petitioner.

Mr. Imdadul Hoque.

...for the Petitioner.

Md. Anwar Hossain,
Mr. Tirthankar Dhali.

...for the State.

1. Petitioner is in custody for 470 days. He submits charge has not yet been framed. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the bail prayer. He contends charge was framed on 21st March, 2024. Delay is due to abscondence of co-accused.
3. We have considered the materials on record. 50 bottles of phensedyl syrup were recovered from petitioner and co-accused. Co-accused had absconded which resulted in delay. Presently, charge has been framed. Prosecution assures the Court to conclude recording of evidence within one year from the next date fixed for recording evidence without unnecessary delay.
4. In view of the aforesaid circumstances and assurance held out by the prosecution, we are not inclined to grant bail to the petitioner.

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

6. We request the trial court to expedite the trial in the light of the said assurance and conclude the same at an early date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)