

09.05.2024
Sl. No.15
akd
[Rejected]

C. R. M. (NDPS) 787 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 01.05.2024 in connection with Andal Police Station Case No.171 of 2022 dated 20.05.2022 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.13 of 2022)

And

In Re: **Akbar Ali**

... .. Petitioner

Mr. Ayan Basu
Sk. Salim
Mr. Sumit Routh

... .. for the petitioner

Mr. Binay Kumar Panda
Ms. Sudeshna Das

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for more than two years. It is further submitted there is inordinate delay in trial. Accordingly, he prays for bail.
2. Report is placed on record. From the report we note on 04.09.2023, 05.09.2023, 06.09.2023, 21.09.2023 and 12.12.2023 defence sought adjournment and the witness could not be examined.
3. Learned Advocate for the State opposes the prayer for bail.
4. We have considered the materials on record. Amount of narcotics recovered from the petitioner is above commercial quantity. Hence, we are not inclined to grant bail to the petitioner on merits.
5. On the score of delay, we note it is the defence who had protracted the trial and not the prosecution. Hence, we are not inclined to grant bail to the petitioner on the score of delay in trial.
6. The application for bail is thus rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

