

## CRM (NDPS) 977 of 2024

**In re:** An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Golabari Police Station** Case No. **06 of 2022** dated **06.01.2022** under Sections **27(A)/28/29/30** of NDPS Act.

- A n d -

**In the matter of : Ameer Hasan @ Ameer Hassan @ Md. Ameer Hasan**

.... Petitioner.

Mr. Rajeev Lochan,

... For the Petitioner.

Mr. Antarikhya Basu,  
Mr. Arijit Ganguly,  
Mr. S. Sakar,

... For the State.

The petitioner renews his prayer for bail, which was rejected earlier by a coordinate Bench by an order dated October 28, 2022, passed in CRM (NDPS) 1271 of 2022.

Learned Advocate for the petitioner says that he is a student in Manipur. Nothing was recovered from him. He has been implicated on the basis of statements made by co-accused persons. He is in custody for two years and four months. The trial has not progressed substantially. There is no certainty as to when the trial shall conclude. His fundamental right to personal liberty and speedy trial is being abrogated altogether.

Learned Advocate for the State, while opposing the prayer for bail, draws our attention to the earlier rejection order dated October 28, 2022. In that order it was recorded that there is sufficient material against the petitioner.

We have also considered the material on record. Indeed, there are *prima facie* incriminating materials against this petitioner. There may not have been any recovery from the petitioner, but the charge is also of conspiracy. Based on the leading statement of the petitioner 13 kgs of heroin was recovered.

In view of the material against the petitioner, we are not inclined to enlarge the petitioner on bail, at this stage.

CRM (NDPS) 977 of 2024 is, thus, dismissed.

However, keeping in mind that the petitioner is in custody for quite some time, we direct the learned Trial Court to expedite the trial to the fullest and conclude the same as early as possible but positively within one year from the next date fixed for recording of evidence.

In the event, the learned Trial Court does not conclude the trial within the time period indicated herein, the petitioner will be at liberty to renew his prayer for bail. Parties are directed to communicate this order to the learned Trial Court.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

**( Apurba Sinha Ray, J. )**

**( Arijit Banerjee, J. )**