

CRM (NDPS) 1123 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **NCB Crime No. 05/NCB/KOL/2022** dated **06.02.2022** under Section **8(C)/21(C)/28/29** of NDPS Act.

- A n d -

In the matter of : Md Iqbal Qureshi @ Md Iqbal Hussain

.... Petitioner.

Ms. Karabi Roy,

... For the Petitioner.

Mr. Rajdeep Mazumder (DSGI),

Mr. Pritam Roy,

... For the NCB.

Order dictated by Arijit Banerjee, J.:

1. The petitioner renews his prayer for bail which was rejected on a number of occasions by Coordinate Benches and lastly on January 19, 2024.
2. The petitioner says that he is in custody for two years and five months now. Only 2 witnesses have been examined. On the ground of delay in progress of the trial, he renews his prayer for bail.
3. Learned Advocate for the Narcotics Control Board strongly opposes the prayer for bail. He says that more than one kg of morphine was allegedly recovered from the co-accused persons. The involvement of the petitioner is absolutely clear. The petitioner is a resident of Manipur. If granted bail, there is every chance of the petitioner absconding.
4. In view of the commercial quantity of contraband involved and in view of the *prima facie* involvement of the petitioner, we are not inclined to grant bail to the petitioner at this stage.

5. CRM (NDPS) 1123 of 2024 is, thus, dismissed.

6. We find that there are in all of four witnesses out of whom two have already been examined. Keeping in mind the already long detention of the petitioner, we direct the learned Trial Court to conclude the trial at the earliest and definitely within two months from the date of communication of this order by the parties to the learned Trial Court, if necessary by preponing the next date fixed for examination of witnesses.

7. We make it clear that if the trial is not concluded within the time period indicated herein, the petitioner will be at liberty to renew his prayer for bail.

8. 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.)