

CRM (NDPS) 1220 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Bhimpur Police Station** Case No. 492 **of 2022** dated **11.12.2022** under Section **21(c)/29** of NDPS Act.

- A n d -

In the matter of : Rabiul Sekh

.... Petitioner.

Mr. S. Majumder,

... For the Petitioner.

Md. Kutubuddin,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. The petitioner renews his prayer for bail which was rejected earlier on January 5, 2024.
2. The petitioner says that he is in custody for about one year and nine months. The trial is not progressing at the desired pace. He prays for bail.
3. While opposing the prayer for bail, learned Advocate for the State points out from the case diary that there are sufficient incriminating materials against this petitioner. He further says that 13 out of 27 charge sheet named witnesses have already been examined. 144 bottles of phensedyl syrup containing codeine phosphate was recovered from the petitioner's possession.
4. In view of the commercial quantity of contraband item being involved, we are not inclined to allow the petitioner's prayer for bail at this stage.
5. CRM (NDPS) 1220 of 2024 is, thus, dismissed.

6. However, considering the prolonged detention of the petitioner, we direct the learned Trial Court to expedite the trial to the fullest extent possible and conclude the same within eight months from the date of communication of this order by the parties to the learned Trial Court, if necessary by preponing the next date of hearing that the learned Trial Court may have fixed.

7. We clarify that in the event 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.)