

05.11.2024

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rejected

C.R.M.(NDPS) No. 1469 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita in connection with Chatterjeehat Police Station Case No. 155 of 2023 dated 04.08.2023 under Sections 20(b)(ii)(c) of the NDPS Act.

And

In Re : Biju Karmakar petitioner

Sk. Toslim Ali

....for the petitioner

Ms. Amita Gaur

Ms. Rituparna Saha

... for the State

1. Learned Counsel for the petitioner submits he is in custody for one year and three months. He prays for bail on the ground of delay in trial.

2. Learned Counsel for the State opposes the bail prayer and submits trial has already commenced.

3. We have considered the materials on record. 63 Kgs. of Ganja was recovered from a vehicle. The petitioner was arrested from the spot. Trial has already commenced and one witness has already been examined. Under such circumstances, we are not inclined to grant bail to the petitioner either on merits or on the ground of delay in trial.

4. Application for bail is, thus, rejected.

5. We request the trial court to expedite the trial and conclude the same at an early date without granting unnecessary adjournment to either of the parties.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)