

05.
Court
No.28

20.09.2024

(Tanmoy)

Rejected

CRM (NDPS) 1483 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with Kaliachak P.S. Case No. 693/2023, dated 12.06.2023.

And

In the matter of: - **Md Khurshed @ Khurshed Sk**

...petitioner.

Mr. Arup Kumar Bhowmick

...for the petitioner.

Mr. Avishek Sinha

Ms. Eshita Dutta

...for the State.

1. Heard learned counsel for the parties.
2. Petitioner is in custody for one year and three months. There is delay in trial. Accordingly, he prays for bail.
3. We have considered the materials on record. Over 300 grams of heroin was recovered from the petitioner. Trial is in progress.
4. Under such circumstances, we are of the opinion custodial detention of the petitioner is not so substantial as to infract his fundamental right to speedy trial entitling him to bail. On such score the bail prayer is rejected.
5. We direct the Trial Court to expedite the trial and bring the same to its logical conclusion at the earliest without granting unnecessary adjournment to either of the parties.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)