

14.11.2024
tkm/ct 28
sl no. 46

C.R.M. (NDPS) 1559 of 2024

In Re : An application for bail under section 483 of the BNSS 2023 in connection with NCB Crime No. 69/NCB/KOL/2021 dated 17.8.2021 under sections 8(c)/22(c)/29 of the NDPS Act

And

In Re : Md. Rejaul Sekh petitioner

Mr. Somjik Ganguli

..... for the petitioner

Mr. A K Maity (Mohanty)

Mr. Gouranga Kumar Das

..... for the NCB

1. Petitioner is in custody for more than three years. He submits there is delay in trial. He prays for bail.
2. Learned lawyer for the NCB opposes the bail prayer and submits delay is at the behest of the prosecution.
3. We have considered the material on record. Bail prayer of the co-accused was turned down by this court in February 2024. Thereafter four dates have been fixed on which witnesses were examined on two dates and on two other dates matter was adjourned for reasons beyond the control of the prosecution.
4. In view of the aforesaid fact and as case has progressed since rejection of bail of co-accused in February 2024, we are not inclined to grant bail to the petitioner either on merits or on the score of delay
5. Accordingly, prayer for bail is rejected.
6. We request the trial court to fix schedules of 2/3 dates at short intervals and to conclude the trial within eight months from the next date fixed for recording evidence without granting unnecessary adjournments to either of the parties.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)