

08.11.2024.
40.
Ct.No.28
SG
(Rejected)

C.R.M. (NDPS) 1561 of 2024

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection NDPS Case No. 21/2023 arising out of English Bazar P.S. Case No. 190/2023 (Special Case No. 21/2023) dated 13.02.2023 under Sections 21(c)/29 of the NDPS Act.

And

In the matter of : Md. Nursad Alam @ Md. Nursad Ali and Anr.
... Petitioners.

Mr. Tapodip Gupta.

...for the Petitioners.

Mr. Sudip Kumar,
Ms. Diksha Ghosh.

...for the State.

1. Petitioners are in custody for one year and eight months. Accordingly, they pray for bail on the ground of delay.
2. Learned Advocate for the State submits trial has substantially progressed.
3. We have considered the materials on record. 4 out of 7 seven witnesses have been examined. Next schedule has been fixed in January, 2025 for examination remaining witnesses.
4. In this backdrop and as recovery of narcotics is above commercial quantity i.e. 286 grams of brown sugar attracting restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.
5. Accordingly, the prayer for bail of the petitioners is rejected.

6. Trial Court is directed to conclude the trial at an early date without granting unnecessary adjournment to either of the parties.

7. Parties shall communicate a copy of this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)