

07.11.2024.
49.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1593 of 2024

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection NDPS Case No.17 of 2023 arising out of Murutia P.S. Case No.57 of 2023 dated 07.03.2023 under Section 21(c) of the NDPS Act.

In the matter of : ***Panup Mondal @ Telu.***
... Petitioner.

Mr. Niladri Sekhar Ghosh,
Mr. Debarshi Bramha,
Ms. Labani Sikdar.
...for the Petitioner.

Mr. Ranadeb Sengupta,
Ms. Rajnandini Das.
...for the State.

1. Petitioner is in custody for one year and nine months.
Hence, he prays for bail.

2. Learned Advocate for the State opposes the bail prayer. He submits trial is at an advanced stage. Only one witness is left to be examined.

3. We have considered the materials on record. 600 bottles of phensedyl syrup containing codeine phosphate above commercial quantity were recovered.

4. In view of the aforesaid incriminating materials and the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner on merits.

5. On the issue of delay in trial, we note trial has considerably progressed. Seven out of eight prosecution witnesses have already been examined.

6. Accordingly, the prayer for bail of the petitioner is rejected.

7. We request the trial court to take prompt steps to examine the last prosecution witness at the earliest and conclude the trial at an early date preferably within six months from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

8. Parties shall communicate the order to the trial court for necessary compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)