

08.11.2024.
49.
Ct.No.28
SG
(Rejected)

C.R.M. (NDPS) 1668 of 2024

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection NDPS Case No. 64 of 2023 arising out of Raghunathganj P.S. Case No. 411/2023 dated 15.05.2023 under Sections 20(b)(ii)(c) of the NDPS Act.

And

In the matter of : Nasir Hossain @ Bapi and Anr.

... Petitioners.

Mr. Debanshu Ghorai.

...for the Petitioners.

Mr. Joydeep Biswas,
Ms. Srilekha Chattopadhyay

...for the State.

1. Petitioners are in custody for one year and five months. They pray for bail on the ground of delay.
2. Learned Advocate for the State submits trial has been fixed for recording evidence.
3. We have considered the materials on record. Statement of witnesses and contemporaneous documents that is the seizure memorandum show recovery of 80 kgs of ganga from petitioners and co-accused. Date has been fixed for recording evidence. Prosecution assures trial shall be concluded within a year.
4. Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioners.

5. Accordingly, the prayer for bail of the petitioners is rejected.

6. Trial Court is directed to conduct the trial with utmost expedition in light of the assurance given by the prosecution and conclude the same 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.)