

13.11.2024

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sdas
rejected

C.R.M.(NDPS) No. 1735 of 2024

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita in connection with Kaliachak Police Station Case No. 96 of 2023 dated 28.01.2023 under Sections 21(c)/27A/29 of the NDPS Act.

And

In Re : Sitesh Mandal petitioner

Mr. Arup Kumar Bhowmick

....for the petitioner

Mr. Bibhaswan Bhattacharya

Ms. Kanchan Roy

... for the State

1. Learned Counsel for the petitioner submits he is in custody for over one year and ten months. There is delay in trial. He renews his bail prayer.

2. Learned Counsel for the State opposes the bail prayer and submits after rejection of bail one witness has been examined.

3. We have considered the materials on record. Bail prayer of the petitioner was rejected in June, 2024. Within four months one witness has been examined. Prosecution proposes to conclude trial within twelve months. In view of the aforesaid materials on record disclosing recovery of a large volume of narcotics i.e. Heroin above commercial quantity and as prosecution proposes to conclude trial within one year, we are not inclined to grant bail to the petitioner either on merits or on the score of delay in trial at this stage.

4. Application for bail is, thus, rejected.

5. Trial court is directed to fix schedules at short intervals and conclude trial in light of the aforesaid assurance within a year from the next date fixed for recording evidence.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)