

14.11.2024
tkm/ct 28
sl no. 54

C.R.M. (NDPS) 1743 of 2024

In Re : An application for bail under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Beldanga P.S case no. 475 of 2023 dated 23.6.2023 under sections 20(b)(ii)(C)/29 of the NDPS Act.

And

In Re : Sufal Sk. & Anr. petitioners

Mr. Tapodip Gupta

..... for the petitioner

Ms. Subhashree Patel

Ms. Debolina Das

..... for the State

1. Petitioners are in custody for more than a year. They pray for bail on the ground of delay.
2. Learned lawyer for the State submits six out nine witnesses have been examined.
3. We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of 37.90 kgs of ganja from an e-rickshaw. Petitioners were present in the vehicle. Trial has substantially progressed and six out of nine witnesses have been examined.
4. Under such circumstances and in view of statutory restrictions under Section 37 of NDPS Act we are not inclined to grant bail to the petitioners either on merits or on the score of delay.
5. Accordingly, prayer for bail is rejected.
6. We request the trial court to conclude the trial by fixing schedule at short intervals preferably within six months from the next date fixed for recording evidence without granting adjournments to either of the parties.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)