

15.01.2024
Sl. No.6
akd
[Rejected]

C. R. M. (NDPS) 8 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 14.12.2023 in connection with Baranagar Police Station Case No.563 of 2021 dated 06.10.2021 under Sections 29/21(c) of the NDPS Act.

And

In Re: ***Md. Nadeem @ Nadim***

... .. Petitioner

Mr. Debasis Kar

... .. for the petitioner

Md. Anwar Hossain
Mr. Amanul Islam

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about two years and one month. It is further submitted there is inordinate delay in trial. Accordingly, he renews his prayer for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits three witnesses have already been examined since rejection of bail by this court in January, 2023.
3. We have considered the materials on record. Allegations involve recovery of narcotics i.e. 2.1 kgs. of *codeine phosphate*, which is above commercial quantity from the petitioner. His bail prayer was rejected on merits in January, 2023. Thereafter three witnesses have been examined. Next date has been fixed for examination of witnesses in February, 2024. Under such circumstances, we are not inclined to grant bail to the petitioner either on merits or on the ground of delay in trial.
4. The application for bail is thus rejected.
5. Trial court is directed to conduct the trial as expeditiously as possible and conclude the same at an early date preferably within one year

from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

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

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)