

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

08.03.2024
Court No.1
(D/L 04)
(AK)

CRM (NDPS) 13 OF 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Jaigaon Police Station Case No.60 of 2023 dated 09.03.2023 under Section 22(c) of N.D.P.S. Act, 1985.

And

In the matter of: **Milan Chhetri**

... Petitioner.

Mr. Jaydeep Kanta Bhowmik
Mr. Debi Sarkar
Mr. Sayantan Bhowmik
Mr. Shubham Kumar
Ms. Rikta Sarkar

...for the petitioner.

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Ujjwal Luksom
Mr. Subhasish Misra

...for the State.

1. The petitioner has been in custody since 9th March, 2023 and charge sheet was framed on 31st August, 2023. It is evident that there has been no progress in the trial for the last one year.
2. Learned counsel appearing for the prosecution submits that 15 of the 17 witnesses are police witnesses and the remaining two are independent witnesses and that therefore the trial is expected to be completed in six months.

3. Considering the submission made on behalf of the prosecution, we are of the view that the trial may be expedited and concluded within six months from today.
4. If that is not done, the petitioner will be at liberty to pray for appropriate orders if there is continuing delay in the trial.
5. We are hence not inclined to allow the prayer for bail.
6. CRM (NDPS) 13 of 2024 is accordingly rejected in terms of the above.

(PRASENJIT BISWAS, J.)

(MOUSHUMI BHATTACHARYA, J.)