

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

13.05.2024.
24/tkm

C.R.M. (NDPS) 198 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raiganj PS case no.101 of 2023 dated 25.2.2023 under sections 20(b)(ii)(c)/25/29 of the NDPS Act.

and

In the matter of : Amir Ahamad Shaikh @ Amir Shaikh
... Petitioner

Mr. A N Sarker

...for the Petitioner

Mr. Nilay Chakraborty
Mr. Saikat Chatterjee
Mr. Chattu Roy

...for the State.

1. Petitioner is in custody for 438 days. He submits no witnesses have been examined till date. He renews his bail prayer.
2. Learned lawyer for the State submits prosecution shall complete trial within one year subject co-operation by defence and systemic delays. Bail prayer of the petitioner was rejected earlier.
3. We have considered the materials on record. 24 kgs. of ganja was recovered from the petitioner. His bail prayer was rejected earlier on merits. Presently he contends that trial is not proceeding with expedition. Prosecutor assures this court that trial shall be completed within one year from the next date fixed for recording evidence subject to co-operation by the defence and systemic delays.

4. Under such circumstances we are not inclined to grant bail to the petitioner at present.
5. Accordingly, prayer for bail is rejected.
6. We request the trial court to conduct the trial with due expedition in light of the assurance given by prosecution.
7. Parties shall cooperate with the trial court and communicate this order for due compliance.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)