

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

22.05.2024.
3/tkm

C.R.M. (NDPS) 230 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Pradhannagar PS case no.24 of 2022 dated 6.1.2022 under sections 21(c)/22(c) of the NDPS Act.

In the matter of : Sanjib Kamti @ Sanjeeet Kumar Kamti @
Sajeew Kamti ... Petitioner

Mr. J K Bhowmik
Mr. Hasanur Rahaman
Mr. S Bhowmik

...for the Petitioner

Mr. Ujjwal Luksom
Mr. S S Sikder

...for the State.

1. Petitioner renews his bail prayer on the ground of delay.
2. Learned lawyer for the State submits four out of 11 witnessed have been examined. He assures this court that trial shall be concluded within six months from the next date fixed for recording evidence subject to co-operation by defence and systemic delays.
3. We have considered the materials on record. Narcotics above commercial quantity i.e. 38 bottles of cough syrup containing codeine phosphate was recovered from the petitioner. His bail prayer was rejected earlier on merits. Presently four witnesses have been examined. Prosecution proposes to conclude trial within six months from the next date fixed for recording evidence subject to co-operation by defence and systemic delays.

4. In view of the aforesaid circumstances and statutory restrictions under section 37 of the NDPS Act we are not inclined to grant bail to the petitioner either on merits or on the ground of delay at present.
5. Accordingly, prayer for bail is rejected.
6. Trial court is requested to expedite the trial in light of the assurance given by the prosecution and conclude the same at an early date.
7. Parties shall cooperate with the trial and communicate this order to the trial court for due compliance.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)