

4. Having gone through the charge-sheet and the material collected by the IO, it appears that the applicant went for negotiation with the ganja supply near Narsipatnam, Vishakha Patnam, District-Andra Pradesh along with accused no. 1, 2 and 7 during the periods 6th to 10th July 2021. Therefore, the submission of the learned counsel for the applicant that he was not in conscious possession of the contraband cannot be accepted at this stage.

5. It is pointed out that charge is framed and about 16 witnesses will be examined. It is argued that the applicant is in jail from last 3 years and in the light of judgment of the Hon'ble Supreme Court of India in the case of '*Mohammad Muslim @ Hussain Vs. State (NCT of Delhi)*'¹ the applicant is praying for grant of bail on the ground of period of incarceration.

6. Since the offence is very serious and as I have observed that prima facie there is evidence to show that the applicant was in conscious possession of the contraband, I am not inclined to grant bail.

7. However, considering the period of incarceration, the trial Court is directed to expedite the trial and an endeavour be made to conclude the same within one year from the date of this order.

8. The learned counsel for the applicant undertakes to place the copy of this order on the record of the trial Court within two weeks from today.

(ANIL S. KILOR, J)

1 (2023) SCC Online 352