

CRM (NDPS) 1935 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **Murutia Police Station** Case No. **288 of 2022** dated **20.11.2022** under Sections **21(C)/29** of the NDPS Act.

- A n d -

In the matter of : Nujbar Ali

.... Petitioner.

Ms. Karabi Roy,

... For the Petitioner.

Mr. Saibal Bapuli,

Mr. Prakash Mishra,

... for the State.

Dictated by Arijit Banerjee, J:-

1. Status report filed by the State be kept with the records.
2. The petitioner is aggrieved that he is in judicial custody for about two years two months. On the earlier occasion, he had stated that only 3 out of 8 charge sheet named witnesses have been examined.
3. However, from the status report filed by the State, we find that 6 out of 8 charge sheet named witnesses have already been examined. February 17 and 18, 2025 are fixed as the dates for examination of the remaining two witnesses. The status report says that the trial shall conclude within six months.
4. 475 bottles of phensedyl syrup containing codeine phosphate (much beyond commercial quantity) having been seized from the possession of the petitioner, keeping in mind the restriction in Section 37 of the NDPS Act, we are not inclined to enlarge the petitioner on bail, at this stage.
5. CRM (NDPS) 1935 of 2024 is, thus, dismissed.

6. However, noting that 2 prosecution witnesses remain to be examined and the State says that the trial may be concluded within six months, also keeping in mind the lengthy detention of the petitioner, we direct the learned trial Court to expedite the trial to the fullest extent possible and conclude the same on an early date without granting unnecessary adjournments to either of the parties.

7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)