

24.02.2025

DL-75

Court No.26

CRM (NDPS) 2027 of 2024

(Bail Rejected)

(AD)

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973 read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Karandighi** Police Station Case No.**607** of **2022** dated **22.11.2022** under Section **21(c)** of the Narcotic Drugs and Psychotropic Substances Act, 1985 arising out of N.D.P.S Case No.78/2022. Now pending before the Learned Judge, Special Court, under N.D.P.S. Act, Raiganj, Uttar Dinajpur.

-And-

In the matter of : Sahajamal

... ..Petitioner

Mr. Jissan Iqubal Hossain, Advocate

... .. For the Petitioner

Ms. Faria Hossain, Ld. APP

Ms. Kanchan Roy, Advocate

... ...For the State

1. Petitioner prays for bail on the ground of delay of trial.
2. Learned Advocate appearing for the petitioner submits that, the petitioner is in custody in excess of two years three months. Out of 12 prosecution witnesses, only two were examined.
3. Learned Additional Public Prosecutor submits that, commercial quantity of narcotics were seized from the joint possession of the petitioner.
4. Trial is in progress,.
5. Out of twelve prosecution witnesses, two were examined.
6. Petitioner is unable to overcome the restrictions under Section 37 of the NDPS Act, 1985.

7. Period of detention of the petitioner as well as number of prosecution witnesses required to be examined does not permit us to arrive at a finding that the possibility of the trial ending in the near future does not exist.
8. In such circumstances, we are not inclined to grant bail to the petitioner.
9. Accordingly, the prayer for bail of the petitioner is **rejected**.
10. **CRM (NDPS) 2027 of 2024** is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)