

C.R.M. 8095 of 2020**(Via Video Conference)**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raninagar Police Station Case No. 528 of 2018 dated 08.10.2018 under Sections 21(c) of the NDPS Act.

Habibur Rahaman
Versus
State of West Bengal

Mr. Shataroop Purkayastha, Adv.
Mr. Hamidur Rahaman, Adv.

...for the petitioner.

Mr. Binoy Kumar Panda, Adv.
Mr. S. K. Bhakat, Adv.

...for the State.

The petitioner undertakes to affirm and stamp the petition/application as per the Rules within one month of resumption of normal functioning of the Court. The petition is taken up through video conference on the basis of such undertaking.

In this matter on 2nd September, 2019 a coordinate Bench, after considering the chemical report and recording the fact that the prima facie involvement of the petitioner in the alleged possession of narcotic substance above commercial quantity being established, rejected the application for bail. This application has been filed on the basis of the evidence of three witnesses which apparently had stated that they could not recollect the name of the detained person and could not identify the petitioner. The trial is in nascent stage and all the witnesses have not been examined.

Since the trial has commenced and progressed substantially, we dispose of this application by directing the learned additional Chief Judge, 2nd Court, at Berhampore Murshidabad to conclude the trial as expeditiously as possible, preferably within a period of six months from the date of resumption of normal functioning of the court without granting any unnecessary adjournments to

either of the parties.

The application for bail is, thus, rejected.

(Aniruddha Roy, J.)

(Soumen Sen, J.)