

17.11.2020
SL No.44
Court No.12
(gc)

CRM 8104 of 2020

(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Jagacha** P.S. Case No.**08/2020** dated **14.01.2020** under Sections **20(b)(ii)(c)/29** of the N.D.P.S. Act.

And

In the matter of: **Subodh Orang @ Somra**

....Petitioner.

Mr. Imtiaz Ahmed.
Mrs. Shaila Afrin,
Mr. Sk. Saidullah

...for the Petitioner.

Mr. Sanjoy Bardhan,
Mr. Palash Chandra Majhi

...for the State.

The petitioner undertakes to affirm and stamp the petition/application as per Rules within 48 hours of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

The learned Counsel for the petitioner submits that he is an innocent and he has been falsely implicated in this case.

The learned Counsel for the State, however, opposes the prayer for bail. It is submitted that the narcotic substance over commercial quantity has been seized from the joint possession of Surojit Biswas @ Babli, present petitioner and Roshan Kumar Singh @ Karan Singh @ Rocky Singh.

Considering the materials on record reveal from the Case Diary and having regard to the fact that narcotic substance above commercial quantity has been seized from the joint possession of the accused persons, in view of the bar under Section 37 of the

NDPS Act, we are not inclined to release the petitioner on bail. In view of the fact that the charge-sheet has already been filed, the trial court is directed to take steps for consideration for framing of charge at the earliest and in the event charge is framed to take the proceeding to its logical conclusion without granting unnecessary adjournments to either of the parties. The trial Court shall make all endeavour to conclude the trial preferably within a period of one year from the date of framing of charges. The learned Trial Judge is requested to proceed with the matter as expeditiously as possible without granting any unnecessary adjournment to either of the parties unless there are unavoidable reasons.

Accordingly, the application for bail being CRM 8104 of 2020 is rejected.

All parties are to act on a website copy of this order on the usual undertaking.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)