

10.11.2020
Item no. 5
Ct.8
Kaushik/CHC
Rejected

C.R.M. No.8995 of 2020

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with N. Case No.56 of 2018 arising out of Barrackpore Police Station Case No.50 of 2018 dated 19th April, 2018 under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of:-

Monoj Routh @ Manoj Routh @ Suku

... Petitioner

Mr. Koustav Bagchi

...for petitioner

Mr. Binay Kumar Panda,
Ms. Puspita Saha

..for State

Petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of Court. The petition is taken up through video conference on the basis of such undertaking.

Mr. Koustav Bagchi, learned advocate appears on behalf of petitioner seeking bail in connection with N.D.P.S. Case no.56 of 2018 arising out of Barrackpore Police Station Case no.50 of 2018 dated 19th April, 2018 under section 20(b) of Narcotic Drugs and

Psychotropic Substances Act, 1985. He relies on order dated 10th September, 2020 passed by a coordinate Bench in C.R.M.3284 of 2020 (in the matter of Nirmal Mondal). He submits, coordinate Bench had given directions, as in that order, *inter alia*, regarding expedition of trial, either via physical mode or hybrid/video conferencing mode. He submits, his client is covered by clause (a) of the direction as having been in custody for more than two years and six months.

Mr. Binay Kumar Panda, learned advocate, Junior Government Advocate appears on behalf of State and opposes the application.

Sub-clause (ii) under clause (b) in section 37 stands attracted in this case where the application is opposed. Directions given in said order dated 10th September, 2020 are for expeditious trial and not regarding grant of bail. No ground has been shown or demonstrated before us for us to believe that petitioner is not guilty of the offence.

Prayer for bail of petitioner is rejected.

C.R.M.8995 of 2020 is disposed of.

Learned court below will take notice of said order dated 10th September, 2020 passed by coordinate Bench, regarding expeditious trial as might be applicable to petitioner's case.

(Arindam Sinha, J.)

(Md. Nizamuddin, J.)