

21.01.2021

Item no.06

Court No.28

Avijit Mitra

C.R.M. 4 of 2021 (via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Special Task Force Police Station Case No.10 of 2019 dated 15.03.2019 under Section 21(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985;

And

In Re : Adut Sk alias Tuel Mistry

.... petitioner

Mr. Anand Keshri,

Mr. Sekhar Mukherjee

....for the petitioner

Mr. Sanjoy Bardhan,

Mr. Palash Chandra Majhi

..... for the State

Mr. Keshri, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated and that the quantity of contraband substance recovered from him cannot be construed to be above commercial quantity. In support of such contention he has drawn our attention to serial no.93 of the Table contained in the notification issued.

He further submits that upon completion of investigation chargesheet has been filed and as such further detention of the petitioner, who is in custody for 670 days, is not necessary.

Learned advocate appearing for the State disputes the contention of the petitioner and opposes his prayer for bail.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations and the

contents of the notification, we are not inclined to grant bail to the petitioner at this stage.

The petitioner's prayer for bail is rejected.

However, as out of seven chargesheeted witnesses only one has been examined, we would direct the Trial Judge to proceed as expeditiously as possible towards conclusion of the trial, without granting any unnecessary adjournments.

With the above observations and directions, the application being C.R.M. No.4 of 2021 is, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)