

05.01.2021

Item no. 5

Ct.5

CHC

Rejected

C.R.M. No.9 of 2021

(Physical Hearing)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Basanti Police Station Case No. 908 of 2018 dated 10.12.2018 under Section 21(C) of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of:-

Supada Halder

... Petitioner

Mr. Gobinda Chandra Baidya,
Mr. Gautam Mitra

.. for the petitioner

Mr. Sanjoy Bardhan,
Mr. Palash Chandra Majhi

..for the State

This is to consider the prayer for bail on the ground of long detention in custody.

It is submitted by the learned advocate for the petitioner that petitioner has been falsely implicated in this case and since the petitioner is having small children, he should be released on bail at this stage.

Learned Additional Public Prosecutor, Mr. Bardhan raises objection against the prayer for bail submitting that there is huge

recovery amounting to 2 liters of codeine mixture, above the commercial quantity of Narcotic substance.

Charge-sheet has since been submitted and trial has commenced. Till date out of 11 charge-sheeted witnesses, four witnesses have already been examined.

Having considered the materials already collected in the Case Diary and bearing in mind direct involvement of the accused/petitioner with regard to the huge recovery of Narcotic substance coupled with the fact of the progress of trial by reason of a commencement of the trial having held already, we are not persuaded to grant bail to the petitioner.

The prayer for bail of the petitioner stands rejected.

We request the learned trial court to expedite the trial subject to the convenience of the court.

C.D. be returned.

CRM 9 of 2021 stands disposed of.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

Urgent Xerox certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Subhasis Dasgupta, J.)

(Subrata Talukdar, J.)

