

CRM No.383 of 2021

22.01.21 In re: An application for bail under Section 439 of the Code of Criminal
(S.R.) Procedure filed in connection with Belghoria Police Station Case
Sl.42 No.364 of 2019 dated 08.06.2019 under Section 21(C) of NDPS Act;
Ct.28 And

In re: Md. Sahzada @ Md. Sahajada Alam

... petitioner.

Mr. Sanka Prasad Dalapati
Mr. Sudhakar Thakur
Mr. S. Dewan

... for the petitioner.

Mr. Sudip Ghosh
Mr. Bitasak Banerjee

...for the State.

The learned advocate appearing for the petitioner submits that the petitioner is in custody for 591 (five hundred ninety one) days and till date the stage for consideration of charge is not over. The petitioner is unnecessarily languishing in custody without any trial.

Mr. Ghosh, learned advocate appearing for the State opposes the petitioner's prayer for bail and submits that the above commercial quantity of contraband was seized from the possession of the petitioner.

Having regard to the nature of the offence and fact that the provisions of Section 37 of the NDPS Act, we are not inclined to release the petitioner on bail at this stage.

However, as the petitioner is in custody for about one year seven months and nine witnesses have been relied on by the prosecution in the charge-sheet, we direct the learned trial court to take steps by fixing regular schedule so that the trial of the case can be taken its logical conclusion within a reasonable time.

With the above observations and discussions, CRM No.383 of 2021 is disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)