

19.07.2021

Court No.28
Item No.20
(REJECTED)

Saswata

CRM 2811 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 17.03.2021 in connection with Berhampore Police Station Case No. 273 of 2013 dated 13.03.2020 under Sections 20(b)(ii)(c)/29 of the NDPS Act;

And

In the matter of : **Boltu Mondal & Ors.**

...Petitioners

Mr. Navanil De
Mr. Rajeshwar Chakraborty

...For the Petitioners

Mr. Ranabir Roy Chowdhury
Mr. Rudradipta Nandy

... For the State

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure in connection with Berhampore Police Station Case No. 273 of 2013 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

Taking advantage of the discrepancy in the statement of the witnesses cited by the prosecution before the Special Court, the present application for bail has been filed by the petitioners who are already languishing in jail for about 492 days. The commercial quantity of contraband (*ganja*) was recovered from the joint possession of the petitioners and after the charges have been framed, five witnesses have already been examined.

Since, the trial has seen a substantial progress, we do not think that it is a fit case where the petitioner should be enlarged on bail at this stage.

The application for bail is, thus, considered and ***rejected***.

However, we request the learned Special Judge to show utmost efforts to bring the case to its logical conclusion at an earliest.

The application for bail being CRM 2811 of 2021 is, accordingly, disposed of.

(Harish Tandon, J)

(Subhasis Dasgupta,J.)