

23.08.2021
Item no. 33
Court No.32.
S.De.
(rejected)

(Via Video Conference)

CRM 2868 of 2021

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure filed on 19.03.2021 in connection with Basirhat Police Station Case No. 1231 of 2019 dated 08.11.2019 under Section 21(c) of the N.D.P.S. Act.

And

In the matter of : Ashadul Mondal.

.....Petitioner.

Mr. Kamalesh Chandra Saha, Advocate,
Ms. Payel Mitra, Advocate,

.....for the Petitioner.

Md. Anwar Hossain, Advocate,
Ms. Sreyashee Biswas, Advocate,

.....for the State.

It is not in dispute that commercial quantity of codeine mixture was recovered from the possession of the petitioner. The petitioner says that he is in custody for 688 days. In spite of direction having been given by a learned Single Judge of this Court on January 25, 2021 in CRR 182 of 2021, for expeditious disposal of the case, the trial is yet to be concluded.

In view of the commercial quantity of contraband being involved and in view of Section 37 of the N.D.P.S. Act, we are not inclined to entertain the petitioner's prayer for bail.

Accordingly, CRM 2868 of 2021 is dismissed.

However, keeping in view the protracted period of detention of the petitioner, we request the learned trial Court to expedite the trial to the extent possible and bring the same to its logical conclusion as soon as the business of the Court may permit and preferably within a period of one year from date without granting any unnecessary adjournment to either of the parties.

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

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)