

26.07.2021
S.D.
24.

CRM 3313 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 9.4.2021 in connection with Ashoke Nagar Police Station Case No. 765 of 2019 dated 14.11.2019 under Sections 21/29 Narcotic Drug Psychotropic Substances Act.

And

In the matter of: **Bappa Roy & Anr.**

....Petitioners.

Ms. Minoti Gomes
Mr. Partha Sarathi Das

...for the Petitioner.

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta

....for the State.

Though this is an application for bail for release of the accused who is incarcerated in jail for 590 days by now and he is left in limbo without any trial, this petitioner is facing trial in connection with Ashoke Nagar Police Station Case No. 765 of 2019 dated 14.11.2019 under Section 21/29 of the N.D.P.S. Act and to grant bail to the petitioner would be bar because of the legal impediment under Section 37 of the N.D.P.S. Act.

Thus, the prayer for bail is rejected.

However, learned Advocate for the petitioner submits for an appropriate order for direction upon the learned Special Judge to expedite the trial.

It appears from the order sheet that the accused person is being produced on every date, but no witness as such has been examined by now. It may be because of the pandemic situation which prevailed during 2020 and still going on.

However, the learned Special Judge under N.D.P.S. Act cum Additional Sessions Judge, 5th Court Barasat is requested to hold the trial by day to day by sidling the date of trial as expeditiously as possible and preferably to conclude the trial within six months.

The application being C.R.M. 3313 of 2021 is dismissed.

(Bibek Chaudhuri, J.)

(Shivakant Prasad, J.)