

09.11.2021

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rejected

C.R.M. 3429 of 2021
(via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Karimpur Police Station Case No. 199 of 2019 dated 25.09.2019 under Section 21(C) of the NDPS Act.

And

In Re : Bidhan Mondal & Anr. petitioners

Mrs. Karabi Roy

... for the petitioners

Mr. Binay Panda

Ms. Puspita Saha

... for the State

Learned Counsel appearing for the petitioners submits that the petitioner is in custody for 26 months. It is also submitted that there is no progress in the matter. Charge has not been framed as yet.

Learned Counsel appearing for the State opposes the prayer for bail.

Statements of the witnesses and the seizure memorandum disclose recovery of narcotic substance from the possession of the petitioners i.e. 4500 bottles of Phensedyl containing codeine mixture which is above commercial quantity. In the light of the statutory restrictions under Section 37 of the N.D.P.S. Act, we are not inclined to grant bail to the petitioners.

The application for bail is, thus, rejected.

However, we request the trial court to take necessary steps to consider the issue of framing of charge at the earliest and in the event such charge is framed to conclude the trial as expeditiously as possible preferably within three months from the next date fixed before it and upon the charge being framed to take to its logical conclusion without granting any unnecessary adjournment to either of the parties.

(Aniruddha Roy, J.)

(Joymalya Bagchi, J.)

C.R.M. 192 of 2018

In Re.: An application under Section 439 of the Code of Criminal Procedure filed on 05.01.2018 in connection with Karimpur Police Station Case No. 136 of 2012 dated 03.07.2012 under Sections 420/467/468/471/120B of the Indian Penal Code.

And

In Re : Rabish Kumar Upadhyay petitioner

Mr. Asraf Ali

... for the petitioner

Mr. Debojyoti Deb

... for the State

Having considered the materials on record prima facie disclosing involvement of the petitioner in the alleged crime of misappropriation of monies of the innocent depositors and the fact that the petitioner has absconded for a protracted period of time, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

(Rajarshi Bharadwaj, J.)

(Joymalya Bagchi, J.)

