

22.09.2021

Court No.28
Item No.10
(REJECTED)

Saswata

CRM 3930 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Gobordanga Police Station Case No. 140 of 2019 dated 20.08.2019 under Section 21(C) of the NDPS Act;

And

In the matter of : **Mukul Sarkar**

...Petitioner.

Mr. Anindya Ghosh

Mr. Pronojit Roy

...For the Petitioner

Mr. Sanjay Bardhan

Mr. Palash Chandra Majhi

... For the State

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure in connection with Gobordanga Police Station Case No. 140 of 2019 under Section 21(C) of the NDPS Act.

This is an application for bail filed by the petitioner having apprehended in connection with the instant case after having possessed commercial quantity of contraband. The investigation is over and the charge sheet has already been filed by the prosecution side.

We are informed that the charges have also been framed by the Special Judge, but till date no progress has been made, therein. We can very much anticipate the reasons for the delayed disposal of the case because of the pandemic having been struck in the meantime.

However, since the Court is assuming normalcy in its functioning, the matter should not be lingering on eternally.

Mr. Bardhan appearing for the State submits that last date was fixed on 15th June 2021 but he is not in a position to apprise the Court whether the trial has, in fact, commenced.

Be that as it may, without venturing to enter into such arena, we request the Learned Special Judge of the NDPS Court, North 24 Parganas to fix a schedule for recording of the evidence, not exceeding one month from the date of communication of this order and endeavor shall be made to dispose of the said case as expeditiously as possible.

Since we do not find any reason for granting bail in view of the embargo under Section 37 of the NDPS Act, the prayer for bail is, thus, considered and ***rejected***.

The application for bail being CRM 3930 of 2021 is accordingly ***dismissed***.

(Harish Tandon, J)

(Bibek Chaudhuri, J.)