

09.11.2021

6
sdas
rejected

C.R.M. 3938 of 2021
(via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 468 of 2020 dated 16.06.2020 under Section 21(c) of the NDPS Act and under Sections 25(i)(a)/27 of the Arms Act.

And

In Re : Kamrujjaman Chowdhury @ Jaman Biswas petitioner

Mr. Milon Mukherjee, Sr. Adv.
Ms. Sreyashee Biswas
Mrs. Benajir Hasan
... for the petitioner

Mr. Rana Mukherjee
Ms. Sujata Das
Ms. Debjani Sahu
... for the State

Learned Counsel appearing for the petitioner submits that the petitioner is in custody for about one year and six months. It is further submitted that the petitioner has been falsely implicated in the instant case and there is inordinate delay in the trial of the case.

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

Statements of the witnesses and the seizure memorandum prima facie disclose alleged recovery of narcotic substance from the possession of the petitioner i.e. 451 grms. of Brown Sugar which is above commercial quantity and in view of statutory restrictions under Section 37 of the N.D.P.S. Act, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

Trial court is directed to expedite the trial and conclude the same at an early date preferably within one year from the next date fixed for recording of evidence before the trial court without granting 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.)

