

08.11.2021

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rejected

C.R.M. 3961 of 2021
(via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sankrail Police Station Case No. 960 of 2017 dated 22.12.2017 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

And

In Re : Binod Chouhan petitioner

Mr. Sudip Ghosh Chowdhury

Mr. Argha Das

Mr. Abhishek Bose

... for the petitioner

Mr. Ranabir Roy Chowdhury

Mr. Mainak Gupta

... for the State

Learned Counsel appearing for the petitioner submits that the petitioner is in custody for three years and eleven months.

Learned Counsel appearing for the State opposes the prayer for bail and submits that trial is at its fag end.

Having considered the statements of the witnesses and the seizure memorandum show recovery of narcotic substance from the possession of the petitioner i.e. 37.9 kgs. of Ganja 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 six months 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.)

