

22.09.2021
Court No.28
Item No.16
(REJECTED)

Saswata

CRM 4170 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Serampore Police Station Case No. 368 of 2019 dated 18.08.2019 under Section 20(b)(ii)(c) of the NDPS Act;

And

In the matter of : **Rakesh Singh**

...Petitioner.

Mr. Sudip Ghosh Chowdhury

...For the Petitioner

Mr. Madhusudan Sur

Mr. Dipankar Paramanick

... For the State

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure in connection with Serampore Police Station Case No. 368 of 2019 under Section 20(b)(ii)(c) of the NDPS Act.

The petitioner has been apprehended in connection with the aforesaid case having possessed the commercial quantity of contraband. The charge sheet has already been submitted and, in fact, the charges have also been framed.

In course of the hearing, it transpires that not a single witness has been examined as of date.

Since we do not find any ground to take exception to Section 37 of the NDPS Act, the prayer for bail is rejected.

However, we request the Learned Special Judge under the NDPS Act to take up the matter on the next date so fixed and endeavor shall be shown to record the evidence of all the charge sheeted witnesses. Co-operation from the defence as well as the prosecution is assured by the counsels for the parties before us. The Learned Special Judge is further requested to dispose of the

proceeding as expeditiously as possible.

The application for bail being CRM 4170 of 2021 is accordingly
dismissed.

(Harish Tandon, J)

(Bibek Chaudhuri,J.)