

23.08.2021

Court No.28
Item No.52
(REJECTED)

Ab

CRM 4292 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 21.06.2021 in connection with Rajarhat Police Station Case No. 33 of 2019 dated 30.01.2019 under Section 21(c) of the Narcotic Drugs and Psychotropic Substances Act;

And

In the matter of : **Arsadul Mondal**

...Petitioner.

Mr. Angshuman Chakraborty.

...For the Petitioner

Mr. Sanjay Bardhan

Mr. Santanu Deb Roy

... For the State.

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with Rajarhat Police Station Case No. 33 of 2019 under Section 21(c) of the Narcotic Drugs and Psychotropic Substances Act.

The petitioner has approached this Court several times in taking out applications for bail despite having possessed the commercial quantity of contraband at the time of seizure. All such applications were rejected by this Court, as the petitioner did not make out a case for taking exception to Section 37 of the Narcotic Drugs and Psychotropic Substances Act. However, the Court showed its anguish over the delayed disposal of the case and directed the concerned Court to expedite the trial of the case. The last rejection was on 22nd March, 2021, when the application for bail filed by the petitioner being CRR 852 of 2021 was rejected with the specific direction to complete the trial of the case within one year from the

next date of hearing, which was fixed in the month of May, 2021.

Learned Advocate for the petitioner showed his agony on the apathetic attitude of the learned Special Judge under NDPS Act, as no attempt was shown to record the evidence of the witnesses.

We appreciate the impatience of the petitioner over the delayed trial and we direct the learned Special Judge under NDPS, Barasat, North 24-Parganas, to strictly adhere to the time limit set forth in the order dated 22nd March, 2021 passed in CRR 852 of 2021.

The next date is fixed in the month of September, 2021. We hope and trust that the learned Special Judge would act with promptitude and bring the case to its logical end within the stipulated time.

In view of the findings recorded hereinabove, the application for bail being CRM 4292 of 2021 is **rejected**.

(Harish Tandon, J)

(Bibek Chaudhuri, J.)