

30.09.2021
Item no. 55
Court No.32.
S.De.
(Rejected)

(Via Video Conference)

CRM 4562 of 2021

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 06.07.2021 in connection with N.D.P.S. Case No. 09 of 2018 arising out of NCB Crime No. 02/NCB/KOL/2018 under Sections 22(b)(ii)(c)/25/29/27A of Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of : Jubbar Ali Tarafdar.

.....Petitioner.

Mr. Angshuman Chakraborty, Advocate,

.....for the Petitioner.

Mr. Y.J. Dastoor, Ld. A.S.G.,

Mr. Phiroze Edulji, Advocate,

Mr. Debu Chawdhury, Advocate,

.....for the Union of India.

30 kgs. of ganja (commercial quantity) was recovered from a house of which the petitioner is a co-owner. We have seen the material in the case diary including the seizure list.

In view of the prima facie complicity of the petitioner in the alleged offence and in view of the restrictions in Section 37 of the N.D.P.S. Act and also noting that the petitioner's prayer for bail was earlier rejected by a co-ordinate Bench on November 18, 2019 in CRM 10661 of 2019, we are not inclined to entertain the petitioner's prayer for bail.

CRM 4562 of 2021 is, accordingly, dismissed.

However, the petitioner says that he is in custody for three years and nine months. That is a pretty long period of time. We are told that tomorrow (October 1, 2021) has been fixed as the date for consideration of charges.

We request the learned Trial Court to expedite the consideration of charges and generally bring the trial to an early conclusion to the extent the business of the Court may permit and preferably, within a period of one year from the date when recording of evidence starts.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)