

08.12.2021

Court No.32

rpan / **145**

C.R.M. 4965 of 2021

In Re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Petrapole Police Station Case no.152 of 2019 dated 17.10.2019 under Sections 21(C)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985;

And

In Re : **Sanjoy Sarkar @ Bappa & Another**

- Petitioners.

Mr. Ashok Kumar Chowdhury,

Ms. Oindri Chowdhury

....for the petitioners.

Mr. Ranabir Roy Chowdhury,

Mr. Mainak Gupta

....for the State.

The learned advocate appearing for the petitioners submits that the petitioners are languishing in custody for more than two years and there is also no possibility towards conclusion of the trial in the near future. In the said conspectus, the petitioners may be enlarged on bail on any stringent condition.

The learned advocate appearing for the State opposes the petitioners' prayer and submits that the charges have been framed on 20th September, 2021 and date has been fixed for evidence on 28th January 2022 and there are seven witnesses.

Heard the learned advocates and considered the materials in the case diary.

Since the contraband substance, above the commercial quantity, was recovered from the possession of the petitioners, the rigours of Section 37 of the NDPS Act are attracted and as such, the petitioners' prayer for bail is refused at this stage.

The application for bail, being CRM 4965 of 2021 is, thus, dismissed.

However, the learned court below is requested to expeditiously conduct the trial, if necessary, upon resorting to steps available under Section 309 of the Code so that logical conclusion of this case may be reached as early as possible, preferably within a period of six months without granting any unnecessary adjournment to either of the parties.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)