

08.12.2021

Court No.32

rpan / **144**

C.R.M. 4949 of 2021

In Re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Habra Police Station Case no.372 of 2017 dated 12.05.2017 under Section 20(b)ii)(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985;

And

In Re : **Sudipta Bairagi & Others**

- Petitioners.

Mr. Ashok Kumar Chowdhury,

Ms. Oindri Chowdhury

....for the petitioners.

Mr. Sudip Ghosh,

Mr. Bitasok Banerjee

....for the State.

The learned advocate for the petitioners submits that the petitioners are languishing in custody for more than four years and six months and in spite of an earlier direction passed in a revision application, trial is yet to be concluded. In the said conspectus, the petitioners may be enlarged on bail in any stringent condition. He further submits that there had been no recovery of contraband substance above commercial quantity from the petitioner no.2.

Mr. Ghosh, learned advocate appearing for the State submits that examination of all the witnesses is complete and date has been fixed for examination under Section 313 of the Code. Let a report, as produced, be kept on record. He disputes the petitioners' contention and submits that there had been recovery of contraband substance above commercial quantity and the petitioner no.2 is also involved in other criminal cases.

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

Since there had been recovery of contraband substance above the commercial quantity and as the petitioner no.2 is involved in other criminal cases and considering the stage of the trial, the petitioners' prayer for bail is refused.

The application for bail, being CRM 4949 of 2021 is, thus, dismissed.

However, the learned court below is requested to conclude the trial as expeditiously as possible without granting any unnecessary adjournment to either of the parties, preferably within a period of two months from the date of communication of this order.

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.)