

CRM No.6170-of 2021
(Via video conference)

29.11.21

(S.R.)

Sl.32

Ct.32

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Bidhannagar** Police Station Case No.106 of 2019 dated 06.08.2019 under Sections 21(c) of the NDPS Act;

And

In re: Aman Verma

... petitioner.

Ms. Arina Bhattacharjee

... for the petitioner.

Mr. Sudip Ghosh

Mr. Ranadeb Sengupta

...for the State.

The learned advocate appearing for the petitioner submits that the petitioner is languishing in custody for more than 2 years and there is no possibility towards early conclusion of the trial. In view thereof, the petitioner may be enlarged on bail on any stringent condition.

Mr. Ghosh, learned advocate appearing for the State opposes the petitioner's prayer and submits that there had been recovery of contraband substance above commercial quantity from the possession of the petitioner. Charges have been framed and 12th December, 2021 is the date fixed for evidence.

Having heard the learned advocates and considering the materials in the case diary and the fact that contraband substance above commercial quantity was recovered from the possession of the petitioner, we are of the opinion that the rigours of Section 37 of the NDPS are attracted. In view thereof, we are not inclined to exercise any discretion in his favour. As such, his prayer for bail is rejected at this stage.

Since, the learned advocate appearing for the petitioner has

expressed his anguish and inconvenience as regards the delay in the progress of the trial, we take notice of such issue and request the learned court below to expeditiously conduct the trial and, if necessary, upon resorting to the provisions of Section 309 of the Code of Criminal Procedure so that logical conclusion of the case may be reached at the earliest. In doing such exercise, the learned court below would be free to fix consecutive dates and make a sincere endeavour to conclude the trial as expeditiously as possible preferably within six months without granting any unnecessary adjournment to the parties.

The application for bail being CRM No.6170 of 2021 is, accordingly, dismissed.

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.)