

06.12.2021
as/ct 28
sl no. 79

C.R.M. 7937 of 2021

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Madhyamgram P.S case no. 470 of 2017 dated 28.8.2017 under sections 20(b)(ii)(c) of the NDPS Act

And

In Re : Himangsu Dutta alias Mandela Buro petitioner

Mr. A Chakraborty

..... for the petitioner

Mr. Swapan Banerjee

Mr. Suman De

..... for the State

Petitioner is in custody for four years and three months and it is submitted that he has been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for bail and submits that prayer for bail of the petitioner was rejected earlier and trial was directed to be concluded by August 2022.

We have considered the materials on record. Statement of witnesses prima facie disclose involvement of the petitioner in the alleged possession of narcotic substance above commercial quantity. That apart, prayer for bail of the petitioner was rejected earlier and the trial was directed to be concluded within August 2022. Prior to the expiry of the said period, petitioner has again approached before this court for bail.

Hence, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail is rejected.

Trial court is requested to conclude trial at an early date preferably within one year from the next date fixed for recording evidence without unnecessary adjournments to either of the parties.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)