

07.12.2021

97

as/sdas

rejected

C.R.M. 8034 of 2021
(via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Barasat Police Station Case No. 581 of 2019 dated 18.10.2019 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Samar Roy petitioner

Mr. Kamalesh Chandra Saha
Ms. Payel Mitra

... for the petitioner

Mr. Ranabir Roy Chowhdury
Mr. Mainak Gupta

... for the State

Learned Counsel appearing for the petitioner submits that the petitioner is in custody for more than two years. He prays for bail.

Learned Counsel appearing for the State opposes the prayer for bail

Statements of witnesses as well as seizure memo. disclose recovery of narcotic substance above commercial quantity i.e. 5 liters of codeine mixture. Under such circumstances and in view of statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

However, we request the trial court to take necessary steps to consider the issue of framing of charge at the earliest

and in the event such charge is framed to conclude the trial as expeditiously as possible and upon charge being framed to take to its logical conclusion without granting any unnecessary adjournment to either of the parties.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)

C.R.M. 192 of 2018

In Re.: An application under Section 439 of the Code of Criminal Procedure filed on 05.01.2018 in connection with Karimpur Police Station Case No. 136 of 2012 dated 03.07.2012 under Sections 420/467/468/471/120B of the Indian Penal Code.

And

In Re : Rabish Kumar Upadhyay petitioner

Mr. Asraf Ali

... for the petitioner

Mr. Debojyoti Deb

... for the State

Having considered the materials on record prima facie disclosing involvement of the petitioner in the alleged crime of misappropriation of monies of the innocent depositors and the fact that the petitioner has absconded for a protracted period of time, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

(Rajarshi Bharadwaj, J.)

(Joymalya Bagchi, J.)

