

23.03.2021
Item no.10.
Court No.1
AB/SDE (t)

(Via Video Conference)

C.R.M. No.10936 of 2020

**Rhythm Das Ray @ Rhythm Das Roy
Vs
Intelligence Officer, NCB**

Mr. Soumitra Das Ray ...for the Petitioner.

Mr. Y. J. Dastoor, Ld. ASG,
Mr. Phiroze Edulji,
Mr. Sagar Saha ...for the NCB.

This is a repeat application for grant of bail.

The material papers show that earlier applications for bail moved under Section 439 of the Code of Criminal Procedure had ended in their rejection.

The learned Counsel for the petitioner submits that no reliance could be placed on the statement recorded under Section 67 of the NDPS Act.

The Division Bench of this Court through order dated 7.6.2018 had reasoned as to why such plea was not acceptable while considering the application for bail by this accused person.

We do not see that there is any ground to take a different view in the matter now though such issue could obviously be eligible for consideration, if raised in defence, at trial.

We do not see any change of circumstances being demonstrated for grant of bail. We, however, notice that there were

directions issued earlier to proceed with the trial in expeditious manner. We alert the Court below to ensure that the case is tried and disposed of at the earliest.

Subject to what is aforesaid, the application is dismissed.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Thottathil B. Radhakrishnan, C.J.)

(Shampa Sarkar, J.)