

16.12.2021
Court No.01
Item No. 18
sg

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

(Via Video Conference)

CRM 843 of 2021

In Re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kotwali Police Station Case No. 36 of 2021 dated 25.01.2021 under Sections 20(b)(ii)(c)/25/29 of the NDPS Act.

And

In Re: **Sanjit Roy**

....Petitioner

Mr. Joydeep Kanta Bhowmik

... For the Petitioner

Mr. Aditi Shankar Chakraborty, Addl. PP

Mr. Biswarup Roy

... For the State

In view of the law laid down by the Hon'ble Supreme Court in *M. Ravindran vs. The Intelligence Officer, Directorate of Revenue Intelligence*, reported in (2021) 2 SCC 485 with regard to default bail, the issue raised in this application for release of the petitioner on the ground of default bail need not be addressed and we find that the accused did not apply for default bail prior to the application filed by the prosecution for extension of time to file charge-sheet. The accused did not exercise its right soon after it arises.

In view thereof, the legal issues raised in this application are answered in the negative. However, we feel that the hearing of the trial should be expedited.

Compliance of Section 207 of the Code of Criminal Procedure shall be done within a fortnight from date. We request the learned Additional Sessions Judge, 2nd Court, Jalpaiguri to conclude the proceeding within a reasonable time.

The application for bail is, thus, rejected. CRM 843 of 2021 is, accordingly, disposed of.

Urgent Photostat certified copy of this order, of applied for, be supplied to the parties upon compliance of all requisite formalities.

(Biswajit Basu, J.)

(Soumen Sen, J.)