

14.09.2021
Item no. 05
Court No.32.
S.De.

In the High Court at Calcutta
Circuit Bench at Jalpaiguri

(Via Video Conference)

CRM No. 849 of 2021

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure filed on 13.08.2021 in connection with Alipurduar Police Station Case No. 144 of 2018 dated 13.04.2018 under Sections 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of : Rajesh Kundu @ Kauwa.

.....Petitioner.

Mr. Sudip Guha, Advocate,

.....for the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. A.P.P.,
Mr. Biswarup Roy, Advocate,

.....for the State.

It is alleged that commercial quantity of contraband items was recovered from the possession of the petitioner. In view of the restrictions in Section 37 of the N.D.P.S. Act, we are not inclined to entertain the petitioner's prayer for bail.

Accordingly, CRM 849 of 2021 is dismissed.

The petitioner says that he has been in custody for two years and five months. Charge-sheet was submitted on September 2018. Thereafter, only five out of eleven

witnesses have been examined. There is no possibility of an early conclusion of the trial.

We request the learned Trial Court, keeping in view the protracted detention of the petitioner, to expedite the trial and bring the same to its logical conclusion as soon as possible and, preferably, within a period of fifteen months from date.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)