

17.12.2021
Court No.01
Item No. 50
sg

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

**CRM 1103 of 2021
(Via Video Conference)**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with Kumargram Police Station Case No. 344 of 2016 dated 01.11.2016 under Sections 20(b)(ii)(c) of NDPS Act.
And

In Re: **Lukash Bosumatary @ Lucas Bosumatary @ Honga**

	Petitioner
Mr. Jaydeep Kanta Bhowmik	
	For the Petitioner
Mr. Aditi Shankar Chakraborty, APP	
Mr. Aniruddha Biswas	
	For the State

The learned Counsel for the petitioner submits that the petitioner is in custody for over five and half years and there has been no substantial progress in the trial.

The learned Counsel for the State submits that trial has commenced and has assured that all steps would be taken by the prosecution to expedite the disposal of the matter.

Considering the fact that the petitioner is in custody for over five and half years and the trial has already been commenced, we are not inclined to grant bail to the petitioner.

We direct the learned Trial Court to dispose of the matter within a period of one year from date and to make a time frame and a schedule for the trial on which date the parties are directed to appear and assist the learned Trial Judge to dispose of the matter within the time frame. For reasons not attributable to the petitioner the trial is delayed, the petitioner shall be entitled to renew his prayer for bail.

The prayer for bail is rejected and CRM 1103 of 2021 is accordingly, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Biswajit Basu, J.)

(Soumen Sen, J.)