

CRM(NDPS) No.30 of 2022

Via video conference

14.02.22

(S.R.)

Sl.39

Ct.32

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **New Town** Police Station Case No.17 of 2019 dated 16/01/2019 under Section 21(C) of the NDPS Act;
And

In re: Naresh Ch. Samaddar @ Nantu

... petitioner.

Ms. Munmun Tewary

Mr. Suryasarathi Basu

... for the petitioner.

Mr. Sanjay Bardhan

Mr. Palash Chandra Majhi

...for the State.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

It appears that contraband substance above commercial quantity was recovered from the joint possession of the petitioner and as such, the statutory restrictions are attracted. In view thereof, we are not inclined to exercise any discretion in favour of the petitioner. As such, his prayer for bail is refused at this stage.

Mr. Basu, learned advocate appearing for the petitioner, however, submits that the petitioner is languishing in custody for more than 3 years and there is no possibility towards conclusion of the trial in the near future. Answering our query, Mr. Bardhan, learned advocate appearing for the State submits, upon instruction, that trial has already been commenced and next date for recording evidence has been fixed on 15th March, 2022.

In the said conspectus, we direct the learned court below to expeditiously conduct the trial and, if necessary, upon resorting to the steps available under Section 309 of the Code of Criminal Procedure so that logical conclusion of the case may be reached at the earliest, without granting any unnecessary adjournment to either of the parties.

The application for bail being CRM(NDPS) No.30 of 2022 is, accordingly, disposed of.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)