

16.03.2022
Court No.32
Item No. 121
Avijit Mitra

C.R.M.(NDPS) No.165 of 2022

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re : Palash Sarkar alias Tinku

Petitioner

Mr. Kushal Mukherjee

For the petitioner

Mr. Ranadeb Sengupta

For the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Dhubulia Police Station Case No.183 of 2021 dated 09.06.2021 under sections 20(b)(ii)(c)/29 of NDPS Act.

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

It appears that 24 kgs of ganja was recovered from the possession of the petitioner and another co-accused. As such, the statutory restrictions are clearly attracted. In view thereof, the petitioner's prayer for bail is refused, at this stage.

Mr. Mukherjee, learned advocate appearing for the petitioner submits that the petitioner is languishing in custody for about 240 days and there is no possibility towards conclusion of the trial in the near future.

Mr. Sengupta, learned advocate appearing for the State submits that the next schedule for evidence has been fixed in the month of May, 2022 and that there are 16 witnesses.

In view thereof, we direct the learned Court below to expeditiously conduct the trial, without granting any unnecessary adjournment to either of the parties 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 preferably within a period of eight months from the date of communication of this order.

Accordingly, the application for bail, being CRM (NDPS) No.165 of 2022, is 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)