

CRM(NDPS) No.224 of 2022

Via video conference

04.03.22

(S.R.)

Sl.23

Ct.32

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Bongaon** Police Station Case No.554 of 2020 dated 28/09/2020 under Section 21(C) of the NDPS Act;

And

In re: Dipankar Karmakar

... petitioner.

Mr. Susnigdho Bhattacharyya

... for the petitioner.

Mr. N.P. Agarwala

Mr. Saryati Datta

...for the State.

Mr. Bhattacharyya, learned advocate appearing for the petitioner submits that the petitioner is in custody for more than 525 days and there is no possibility towards conclusion of the trial in the near future. The petitioner has been falsely implicated and upon completion of investigation charge sheet has already been submitted. In view thereof, the petitioner may be enlarged on bail on any stringent condition.

Mr. Agarwal, learned advocate appearing for the State opposes the petitioner's prayer and submits that contraband substance above commercial quantity was recovered from the joint possession of the petitioner and four others. Answering our query, he submits that upon obtaining the chemical examiner's report, supplementary charge sheet has also been submitted.

Heard the learned advocates 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 other co-accused persons and as such, the statutory restrictions are clearly attracted and in view thereof, the petitioner's prayer for bail is refused at this stage.

However, the Learned Court below is directed to take up the issue of consideration of charges on the next date, without granting any unnecessary adjournment to either of the parties. In the event, the charges are framed, the learned court below shall expeditiously conduct the trial and conclude the same at the earliest.

With the above observations and directions, the application for bail being CRM(NDPS) No.224 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.)