

25.04.2022

Sl. 46
Court No.29
suvayan
(rejected)

C.R.M. (NDPS) 414 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Dankuni** P.S. case No. **206 of 2019** dated **20/08/2019** under Sections **21(b)(ii)(c)/29** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: Sk. Akram @ Raju @ Mohammad Akram Sk
....petitioner.

Mr. Kallol Mondal
Mr. Krishan Ray
Mr. Souvik Das
Mr. Anamitra Banerjee

...for the petitioner.

Mr. Sanjoy Bardhan
Mr. Ranadeb Sengupta

...for the State.

Petitioner renews the prayer for bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody in excess of 2 years 8 months. He draws the attention of the Court to the order passed by the jurisdictional Court. He submits that out of 13 prosecution witnesses, the prosecution is yet to examine one of the witnesses in its entirety.

Learned Advocate appearing for the State submits that the prosecution witnesses are police personnel and they were busy in the conduct of the Assembly and Municipal Elections. Moreover, the resolutions of the local bar also contributed to the witness action not being completed.

The Court is informed that the next dates for recording the evidence of the prosecution are fixed on July 12, 2022 onwards.

Considering the fact that commercial quantity of narcotic was recovered from the joint possession of the petitioner and considering the fact that there is hardly any material change in circumstances

subsequent to the earlier order of rejection, we are unable to grant bail to the petitioner.

However, we request the Trial Court to invoke the provisions of Section 309 of the Criminal Procedure Code and endeavour to adhere to be same. The Trial Court is also requested not to grant any unnecessary adjournments to any of the parties.

Accordingly, the prayer for bail of the petitioner is rejected.

C.R.M. (NDPS) 414 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)