

25.02.2022

Court No.32

rpan / 02

C.R.M. 8355 of 2021

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Suti Police Station Case no.331 of 2020 dated 13.07.2020 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 [NDPS case no.169 of 2020];

And

In Re : **Badiruddin Mahaldar @ Naju Mahaldar & 2 Others**

- Petitioners.

Mr. Arnab Chatterjee,

Mr. Anisur Rahman

... for the petitioners.

Mr. Binay Panda,

Ms. Pushpita Saha

... for the State.

Mr. Chatterjee, learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated and they are languishing in custody for more about 546 days and there is also no possibility towards conclusion of the trial in the near future. In the said conspectus, the petitioners may be enlarged on bail on any stringent condition.

Ms. Saha, learned advocate appearing for the State submits that contraband substance above commercial quantity was recovered from the joint possession of the petitioners. Answering our query, she submits that charges have already been framed and schedule for evidence has been fixed on and from 13th April to 18th April, 2022.

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 petitioners and as such, the statutory restrictions are attracted. In view thereof, we are not inclined to exercise any discretion in favour of the petitioners and their prayer for bail is refused at this stage.

As the charges have already been framed and schedule has been fixed, the learned trial court is directed to expeditiously conduct the trial without granting any unnecessary adjournments to either of the parties and if necessary, upon resorting to steps available under Section 309 of the Code so that logical conclusion of this case may be reached at the earliest.

With the aforesaid observations, the application for bail, being CRM 8355 of 2021 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.)