

Sl. 11
14.02.2022
Court No.32
SD

CRM 8603 of 2021
(Via Video Conference)

In re: An application under Section 439 of the Code of Criminal Procedure;

And

In the matter of: Pintu Das & Anr.

... Petitioners.

Mr. Kamalesh Chandra Saha
Ms. Payel Mitra

...for the Petitioners.

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta

...for the State.

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioners in connection with Bashirhat P.S. Case No. 893 of 2021 dated 29.7.2020 under Sections 21(C)/22(C)/23(C)/24/25/29/30 of the N.D.P.S. and Foreigners Act.

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 other co-accused persons and as such, the statutory restrictions are clearly attracted in the present case.

In view thereof, petitioners' prayer for bail is refused at this stage.

Mr. Kamalesh Chandra Saha, learned advocate for the petitioners, however, submits that the petitioners are languishing in custody for about 600 days and there is no possibility towards conclusion of the trial in the near future.

Answering our query, Mr. Ranbir Roy Chowdhury, learned advocate appearing for the State submits that the F.S.L. report has already been obtained and a supplementary charge sheet has also been filed.

In view thereof, we request the learned court below to consider the issue of consideration of charges on the next date fixed without granting any unnecessary adjournments to either of the parties. If charges are framed, the learned court below shall expeditiously conduct the trial and conclude the same as early as possible.

With the aforesaid observations, the application for bail, being CRM No.8603 of 2021 is, thus, 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.)