

Sl. 14
14.02.2022
Court No.32
SD

CRM 8906 of 2021
(Via Video Conference)

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

And

In the matter of: Subhankar Mistri @ Babu

... Petitioner.

Mr. Sudip Ghosh Chowdhury

...for the Petitioner.

Mr. Sanjoy Bardhan

Ms. Baishakhi Chatterjee

...for the State.

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioners in connection with Rishra P.S. Case No. 56 of 2020 dated 11.7.2020 under Section 21(C) of the N.D.P.S. 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 possession of the petitioner and another co-accused person and as such, the statutory restrictions are clearly attracted in the present case.

In view thereof, we are not inclined to exercise any discretion in favour of the petitioner and his prayer for bail is refused at this stage.

Mr. Sudip Ghosh Chowdhury, learned advocate for the petitioner, however, submits that necessary directions may be issued for expeditious disposal of case as the petitioner is languishing in custody for about one year and seven months.

Answering our query, Mr. Sanjoy Bardhan, learned advocate appearing for the State submits that charges have already been framed and trial has commenced.

In view thereof, we request the learned court below to expeditiously conduct the trial so that logical conclusion of the case may be reached at its earliest.

With the aforesaid observations, the application for bail, being CRM No.8906 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.)