

17.10.2022
JCB 3
Ct.No.28
Sourav/
Suvayan
(Rejected)

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

C.R.M. (NDPS) 341 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Jaigaon** Police Station Case No. **57** of **2020** dated **18.02.2020** under Sections **22(c)** of the NDPS Act.

In the matter of : **Sivaji Karmakar**

... Petitioner.

Mr. Sudip Guha

...for the Petitioner.

Mr. Aditi Shankar Chakraborty
Mr. Nilay Chakraborty
Mr. Biswarup Roy

....for the State.

Petitioner renews the prayer for bail.

It has also been submitted that the petitioner is languishing in custody for last two years and eight months. Petitioner prays for bail on imposition of strict conditions.

The prayer of the petitioner has been opposed by the learned advocate representing the State. The identical prayer was refused on June 6, 2022 by a co-ordinate Bench.

We have perused the order passed by the co-ordinate Bench and from the submissions made on behalf of the petitioner it does not appear there is alteration in situation save and except the length of sufferance of the petitioner in custody.

In view of the fact that the commercial quantity of contraband substance is involved and on consideration of the materials available in the Case Diary, it appears that *prima*

facie same implicates the petitioner, we are not inclined to grant bail to the petitioner.

Accordingly, the application being **CRM (NDPS) 341 of 2022** stands rejected.

However, we request the learned Court below to expedite the trial and take the same to the logical conclusion preferably within a period of six months from the next date fixed for appearance of the petitioner.

(Moushumi Bhattacharya, J.)

(Saugata Bhattacharyya, J.)