

17.10.2023
Sl. No.4
akd
[Rejected]

C. R. M. (NDPS) 1613 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 25.09.2023 in connection with Entally Police Station Case No.366 of 2019 dated 27.11.2019 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

And

In Re: **Joydeb Das**

... .. Petitioner

Mr. Rajeev Lochan

... .. for the petitioner

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor
Mr. Ranadeb Sengupta

... .. for the State

1. Report is placed on record. Report shows wife of the petitioner provided incorrect pattern lock. As a result, CCTV footage could not be opened.
2. Affidavit is placed on record.
3. Learned Advocate for the petitioner submits assistance of a technical expert may be taken to open the CCTV footage.
4. We have considered the materials on record. The issue raised may be agitated before the trial court in accordance with law. There are ample evidence connecting the petitioner with the crime. We have also gone through the order sheet. On the ruse of leading defence evidence, petitioner is seeking to delay and dilate the proceeding. Under such circumstances and in view of the nature of offence, we are not inclined to grant bail to the petitioner.
5. The application for bail is thus rejected.
6. Trial court is directed to expedite the trial and conclude the same at an early date.

7. Parties shall communicate a copy of this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)