

01.11.2023
21.
Court no. 8
Sd/br

***In the High Court at Calcutta
Criminal Miscellaneous Jurisdiction
Appellate Side***

CRM (NDPS) 1792 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 19.10.2023 in connection with Entally Police Station Case No. 43 of 2021 dated 28.01.2021 under Sections 20(b)(ii)(c)/29 of the NDPS Act, 1985.

In the matter of : Sirajul Sk.petitioner.

Mr. Joy Chakraborty
Mr. Sandip Dinda

...for the petitioner.

Mr. Arijit Ganguly
Mrs. Sujata Das

.....for the State.

1. Learned counsel for the petitioner contends that the petitioner is in custody for about 2 years and 10 months. Although there was a previous direction of expeditious trial on the petitioner's prayer for bail, the trial is proceeding at a snail's pace.

2. Learned counsel for the petitioner places reliance on several dates and how the trial proceeded on the said dates, which is shown in the form of a list in paragraph 7 of the present application.

3. Learned counsel for the State opposes the prayer for bail and contends that after the direction of expeditious trial vide

order dated November 21, 2022, the trial has proceeded expeditiously. It is found that three out of the total eight witnesses have already been examined.

4. We are satisfied that prima facie the trial has been proceeding expeditiously pursuant to the direction dated November 21, 2022 when the petitioner's application for bail was previously rejected. Hence, we do not find any pressing reason to grant bail to the petitioner at this stage.

5. Accordingly, CRM(NDPS) 1792 of 2023 is dismissed with a direction to the trial court to conclude the trial as expeditiously as possible, positively within a period of six months from this date.

(Sabyasachi Bhattacharyya, J.)

(Partha Sarathi Chatterjee, J.)