

13.6.2023
Court No.01
Item No. 38
ar
Rejected

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

CRM (NDPS) 287 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kumargram Police Station Case No. 56 of 2022 dated 30.01.2022 under Sections 20(b)(ii)(c) of the Narcotics Drugs and Psychotropic Substances Act, 1985.

And

In Re: **Pradip Kar**

.... Petitioner

Mr. Partha Pratim Sarkar
Mr. Sandip Guha Roy

... For the Petitioner

Ms. Aditi Shankar Chakraborty, Ld. APP
Mr. Sourav Ganguly

... For the State

Learned counsel for the petitioner submits that the petitioner is in custody from 30th January, 2022, but no charge has been framed till date.

Learned counsel for the State in opposing the prayer for bail submits that the charge-sheet has already been filed.

On consideration of the memorandum of charges and seizure list disclosing narcotic substance over commercial quantity, we are not inclined to grant bail to the petitioner.

However, having regard to the fact that the petitioner is in custody for about 1 year 4 months without any charge being framed, we direct the trial court to immediately fix a date for framing the charges and to proceed with the trial in compliance with Section 309 of the Cr.P.C and shall conclude the trial as early as possible without granting any adjournment to either of the parties.

The application for bail is thus rejected. CRM (NDPS) 287 of 2023 is disposed of accordingly.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Raja Basu Chowdhury, J.)

(Soumen Sen, J.)