

09.06.2023
Ct.No. 1
Item No. 17
Sb / Saswata
Rejected

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

C.R.M. (NDPS) 389 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Kotwali PS Case no.500 of 2020 dated 11.08.2020 under Sections 20(ii)(c)/25/29 of the NDPS Act, 1985.

And

In the matter of : **Tezbir Singh**

...petitioner

Mr. Sandip Guha Roy

...For the petitioner

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Aniruddha Biwas

....For the State

1. Learned Counsel for the petitioner submits that the petitioner was arrested on 2nd August 2020 and charge sheet with FSL report was filed on 2nd February 2022. Admittedly, the trial has not commenced. Although, charge has been framed but not a single witness has been examined.
2. Learned Additional Public Prosecutor submits that there are nine witnesses and within the time frame of six months, their evidence can be recorded.
3. On the basis of such assurance and having considered the seizure list showing recovery of commercial quantity of narcotic substance from the petitioner, we are not inclined to grant bail to the petitioner at this stage.

4. However, we direct the Learned Trial Court to record the evidence of all the witnesses preferably within a period of six months from the date next fixed.
5. The Trial Court is requested not to grant adjournments to either of the parties unless it is unavoidable.
6. The application for bail is accordingly **rejected**.
7. CRM (NDPS) 389 of 2023 is **disposed** of.

(Raja Basu Chowdhury, J.)

(Soumen Sen, J.)