

AD-12
Ct No.01
Jalpaiguri
22.09.2023
SP

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (NDPS) 753 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.09.2023 in connection with Kotwali Police Station Case No. 613 of 2019 dated 22.09.2019 under Sections 21(C)/25/29 of the NDPS Act, 1985.

And

In the matter of: GHANA SHYAM WAKLE AND ANR

Mr. Sudhindra Das

,

... for the petitioners

Mr. Tapan Bhattacharjee

Mr. Kallol Nag

... for the State

1. Learned counsel for the petitioners submits that the petitioners are entitled to bail. However, learned counsel for the State seriously opposes the prayer for bail.
2. We find from the order of the Supreme Court handed over by learned counsel for the petitioners that only on July 31, 2023, the Supreme Court had refused the prayer for bail of the petitioner and directed the trial Court to conclude the trial within a period of six months from that date.
3. Further, it was observed in the said order that in the event the Trial is not concluded within the time specified, the petitioners would be at liberty to renew their prayer for grant of bail.

4. Only a little more than one month after the Supreme Court's order has elapsed, let alone six months. Hence, the present application for bail is patently mala fide and frivolous.
5. Accordingly, CRM (NDPS) 753 of 2023 is summarily rejected. The petitioners are warned that if, prior to expiry of the period of six months as per the order of the Supreme Court, the petitioners renew their prayer for bail again, the petitioners may be saddled with exemplary costs.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)