

05.01.2023
Court No.1
Item. 12
(Suvendu)

CRM(NDPS) 422 OF 2022

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Dhupguri Police Station Case No. 307/2018 dated 15.09.2022 under Section 20(b)(ii)(c) of NDPS Act, 1985.

In the matter of: Dhonu Sarkar @ Dhanu Sarkar @ Bapi
.....Petitioner.

For the Petitioner.

For the State.

The e-Court status shows sequence of dates indicating that there has been inordinate delay in the trial of this case. The petitioner has been in custody since 2018. The charge-sheet was submitted on 12.05.2019 but charges are still to be framed as in January, 2023. We are informed by learned counsel appearing for the State that on 5th January, 2023, which is today, has been fixed for framing of charges. The case status also shows that the main accused person absconded from August, 2019 to February, 2020 further contributing to the delay in the matter.

We are hence constrained to direct the learned Judge, Special Court (Under NDPS Act), Jalpaiguri to make an effort in concluding the trial within six months from today. Since the petitioner has been in custody for more

than four years there shall be no adjournments in the conduct of the trial. If the delay continues, the petitioner shall be entitled to pray for appropriate orders.

CRM(NDPS) 422 of 2022 is accordingly rejected and disposed of in terms of the above.

(SIDDHARTHA ROY CHOWDHURY,J.) (MOUSHUMI BHATTACHARYA,J.)