

19.03.2024
Sl. No.4
akd
[Rejected]

C. R. M. (NDPS) 314 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.12.2023 in connection with Kharagpur GRPS FIR No.95 dated 30.08.2023 under Sections 20(b)(ii)(c)/29 of the NDPS Act. (NDPS Case No.9 of 2023)

And

In Re: ***Ripon Mondal***

... .. Petitioner

Mr. Syed Ali Azad

... .. for the petitioner

Ms. Sreyashee Biswas

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about seven months. It is further submitted petitioner has been falsely implicated. Accordingly, he prays for bail.
2. Report is placed on record.
3. Learned Advocate for the State submits charge has been framed and recording of evidence shall commence shortly. She assures the Court that trial shall be concluded within eighteen months from the next date fixed for recording evidence subject to cooperation by the defence and systemic reasons.
4. We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 64 kgs. of *Ganja*, which is above commercial quantity from the petitioner and two others who were travelling together by a train. Charge has already been framed and prosecution assures to conclude trial within eighteen months from the next date fixed for recording evidence, as aforesaid. Under such circumstances and in view of the statutory restrictions under

Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

5. The application for bail is thus rejected.
6. Trial court is directed to expedite the trial in the light of the assurance given by the prosecution.
7. Parties shall communicate a copy of this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)