

CRM (NDPS) 822 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Gaighata Police Station** Case No. **303 of 2023** dated **28.03.2023** under Sections **21(c)** of the NDPS Act.

- A n d -

In the matter of : Shib Sankar Dhali

.... Petitioner.

Mr. Ali Ahasan Alamgir
Mrs. Soma Mal,
Mrs. Rabia Khatoon,

... For the Petitioner.

Mr. Binoy Kumar Panda,
Mrs. Mamata Jana,

... For the State.

The petitioner renews his prayer for bail. His prayer was rejected by a coordinate Bench by an order dated December 21, 2023 passed in CRM (NDPS) 2052 of 2023.

There has been no change in circumstances since then.

However, we are told that the petitioner is in custody for 445 days. Charge has been framed on November 22, 2023. However, witness action has not begun.

In view of the restrictions in Section 37 of the NDPS Act, since commercial quantity of phensedyl is involved, we are not inclined to grant bail to the petitioner.

CRM (NDPS) 822 of 2024 is, thus, dismissed.

However, keeping in mind the lengthy period of detention of the petitioner and that there are six witnesses in this case, we request the learned Trial Court to make all efforts to conclude the trial at the earliest and preferably within six months from the date

of communication of this order by the parties to the learned Trial Court.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)