

13.06.2024
Item no. 12.
Court No.28.
AB
(Rejected)

CRM (NDPS) 819 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.7 of 2020 under Section 20C of the NDPS Act

And

In the matter of : Hasibur Rahman

.....Petitioner.

Mr. Rajeev Lochanfor the Petitioner.

Mr. Joydeep Roy,
Mr. Nirupam Dhalifor the State.

Learned Counsel for the State says that the petitioner was granted interim bail by the learned Trial Court on humanitarian ground since his father was ill. The prosecution applied for cancellation of the bail before this Court. The matter was sent back to the learned Trial Court. The learned Trial Court cancelled the bail. Thereafter in spite of having knowledge of the aforesaid, the petitioner did not surrender. Warrant of Arrest had to be issued. Thereafter, the petitioner was arrested again. The petitioner's prayer for bail should not be allowed.

The petitioner says that he was not aware of the cancellation of the bail. He is in custody for about nine months since his 2nd arrest. The trial has not progressed at the desired space.

In view of the conduct of the petitioner and recovery of about two kilograms of brown sugar from his possession and also keeping in mind the restriction in Section 37 of the NDPS Act, we are not inclined to entertain the petitioner's prayer for bail, at this stage.

The prayer for bail is, accordingly, rejected.

CRM (NDPS) 819 of 2024 is dismissed.

However, we request the learned Trial Court to expedite the trial and bring the same to its logical conclusion at the earliest and definitely within a year from the next date fixed for recording evidence.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)