

21.05.2024
Item no.141.
Court No.06.
S. De
(Rejected)

CRM (NDPS) No. 825 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 10.05.2024 in connection with Bagdah Police station Case No. 234 dated 28.03.2022 under Sections 21(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : Raju Biswas & Anr.

.....Petitioners.

Mr. Angshuman Chakraborty,
Mr. S.S. Saha,

.....for the Petitioners.

Mr. Arnab Chatterjee,
Mr. Debanshu Ghorai,

for the State.

The petitioner renews his prayer for bail. His application for bail was rejected by a Co-ordinate Bench on September 14, 2023. By an order of that date, the Trial Court was directed to conduct the trial *“with utmost expedition by fixing schedules at regular intervals and to conclude the same as expeditiously as possible preferably within two years from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties”*.

Learned advocate for the petitioners says that after the aforesaid order was passed, nothing appreciable has happened. The petitioners have already been in custody for about two years three months.

Learned advocate for the State says that the time period granted by the Co-ordinate Bench by the earlier order is not yet over. There are eleven witnesses, out of them, two have already been examined. The State will make all endeavours to see that the trial is concluded within the time period indicated by the Co-ordinate Bench in the earlier order.

In view of the aforesaid and in view of the statutory restriction under Section 37 of the NDPS Act, we are not inclined to exercise our discretion under Section 439 of the Code of Criminal Procedure, at this stage.

The application for bail is, accordingly, rejected.

CRM (NDPS) 825 of 2024 is dismissed.

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

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)