

CRM (NDPS) 855 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Chapra Police Station** Case No. **80 of 2023** dated **17.02.2023** under Sections **21(c)/29** of the NDPS Act.

- A n d -

In the matter of : Amitava Biswas @ Rajesh @ Amitabha Biswas
.... Petitioner.

Mr. Saswata Gopal Mukherjee,
Mr. Saryati Dutta,
Mrs. D. Mondal,

... For the Petitioner.

Mr. A. Ahmed Siddiqui,

... For the State.

The petitioner renews his prayer for bail which was rejected earlier by a Coordinate Bench by an order dated November 24, 2023, whereby CRM (NDPS) 1604 of 2023, was dismissed.

3700 bottles of phensedyl were recovered from the possession of the three accused persons. One of them has been discharged. The petitioner is one of the remaining two.

Learned Advocate for the petitioner says that the vehicle from which the narcotics were recovered actually belongs to one Khabaji Mondal who has been discharged. He is making payment of the installments to the finance company. Learned Advocate for the petitioner says that he has no truck with the concerned consignment of contraband.

Learned Advocate for the State vehemently opposes the prayer for bail. He says that three out of ten witnesses have

already been examined. All attempts will be made on behalf of the State to bring the trial to its logical conclusion at the earliest.

In view of the earlier rejection of the petitioner's prayer and since nothing materially has changed thereafter and also keeping in mind the restriction in Section 37 of the NDPS Act, we are not inclined to allow the petitioner's prayer for bail.

CRM (NDPS) 855 of 2024 is, thus, dismissed.

However, we request the learned Trial Court to expedite the trial as far as possible and bring the same to its logical conclusion as expeditiously as possible and preferably within a period of one year from the next date. No unnecessary adjournments will be sought for by either the petitioner or the State, both of whom will cooperate with the learned Trial Court in expediting the matter.

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

(Arijit Banerjee, J.)

(Prasenjit Biswas, J.)