

25.06.2024
Item no. 31.
Court No.28.
AB
(Rejected)

CRM (NDPS) 866 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Durgapur P. S. Case No.528 of 2021 dated 19.11.2021 under Sections 20BiiC of the NDPS Act

And

In the matter of : Sk. Mainuddin @ Manu

.....Petitioner.

Mr. Sanat Kr. Das,
Mr. Sujan Chatterjee,
Mr. S. Sinhafor the Petitioner.

Mr. Provas Bhattacharya
Ms. Purnima Ghoshfor the State.

Pursuant to our earlier order, the Special Public Prosecutor, NDPS has filed a report dated June 23, 2024. Let the same be kept with the records.

From the report, it appears that 5 out of 12 witnesses mentioned in the charge sheet have been examined. July 29, 2024, has been fixed as the date for examination of P.W.1 on recall for proving Durgapur Police Station GDE 980 dated 18.12.2021. The report says that on that day, the prosecution evidence is likely to be closed since the prosecution will not examine any further witness.

In view of the aforesaid, since the trial is on the verge of conclusion and commercial quantity of contraband item is

involved, we, though not inclined to grant bail immediately to the petitioner, direct the learned Trial Court to dispose of the trial by delivering judgment by August 31, 2024.

We clarify that if the trial is not concluded by the date indicated above, the petitioner may renew his prayer for bail.

The prayer for bail is, accordingly, rejected.

CRM (NDPS) 866 of 2024 is dismissed.

The parties shall communicate this order 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.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)