

13.06.2024
Item no. 16.
Court No.28.
AB
(Rejected)

CRM (NDPS) 881 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Gangnapur P. S. Case No.87 of 2021 dated 6.6.21 under Sections 21C of the NDPS Act

And

In the matter of : Subhankar Chowdhury @ Benka & Anr.

.....Petitioners.

Mr. Prabir Majumdar,
Mr. S. Majumdar for the Petitioners.

Mr. Iqbal Kabir,
Ms. Payel Ghosh for the State.

The petitioner renews his prayer for bail which was rejected by a Coordinate Bench by an order dated April 5, 2023, passed in CRM (NDPS) 656 of 2023.

Allegedly, 75 bottles of phensedyl syrup, i.e., commercial quantity, was recovered from the possession of the petitioner.

The petitioner says that he is in custody for more than three years. After January 6 this year, no witness has been examined.

Learned Advocate for the State says that June 27, 2024 has been fixed as the date for recording further evidence. 3 witnesses remain to be examined. Trial can be concluded at an early date.

In view of the restriction in Section 37 of the NDPS Act and commercial quantity of contraband being involved, we are not inclined to allow the petitioners' prayer for bail, at this stage.

The prayer for bail is, accordingly, rejected.

CRM (NDPS) 881 of 2024 is dismissed.

However, since the petitioners have been in custody for quite some time, we direct the learned Trial Court to expedite the trial and conclude the same at the earliest and definitely within four months from the next date fixed for recording of evidence.

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.)