

19.06.2024
Item no. 5.
Court No.28.
AB
(Rejected)

CRM (NDPS) 909 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak P. S. Case No.714 of 2022 dated 4.7.22 under Sections 21C/27A/29 of the NDPS Act

And

In the matter of : Md. Kaunain Reja

.....Petitioner.

Mr. Amitabha Karmakar
Mr. A. K. Bhowmickfor the Petitioner.

Mr. Binay Kr. Panda
Mr. Abhishek Vermafor the State.

Allegedly 309 grams of brown sugar was seized from the possession of the petitioner. He says that he is in custody for about one year and eleven months. He needs urgent medical treatment. He should be released on bail.

Learned Advocate for the State opposes the prayer. He draws our attention to an order dated March 28, 2024 passed by the learned Trial Court directing the Superintendent of Malda Correctional Home to provide best possible medical treatment to the petitioner. Learned Advocate says that witness action has begun. There are ten witnesses. The first witness is being cross examined.

Considering the facts and circumstances of the case, medical documents on record and also keeping in mind the

restriction in Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner, at this stage.

The prayer for bail stands rejected.

CRM (NDPS) 909 of 2024 is dismissed.

However, keeping in mind that the petitioner has been in custody for a long period of time, we direct the learned Trial Court to conclude the trial at the earliest and definitely within a period of eight months from the next date fixed for recording of evidence.

Let this order be communicated by the parties 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.)

(Gaurang Kanth, J.)