

CRM (NDPS) 896 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Gopalnagar Police Station** Case No. **134 of 2023** dated **08.03.2023** under Sections **20(b)(ii)(c)/29** of NDPS Act.

- A n d -

In the matter of : Sujan Adhikary

.... Petitioner.

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

... For the Petitioner.

Mr. Debasish Roy, Ld PP,
Mr. Rudradipta Nandy, Ld. APP,
Ms. Sujata Das,

... For the State.

The petitioner says that he is in custody for one year and five months. Charge was framed in October, 2023. Witness action has not begun since then. He should be granted bail. A co-accused person has been granted bail by this Court.

Learned Public Prosecutor strongly opposes the prayer for bail. He points out that another co-accused person has also been denied bail. Commercial quantity of ganja was recovered from the joint possession of the accused persons including this petitioner. The number of witnesses has been cut down to five. The first schedule for examination is fixed on July 23-24, 2024. The trial should be concluded at an early date.

In view of commercial quantity of ganja being involved, we are not inclined to allow the petitioner's prayer for bail at this stage.

CRM (NDPS) 896 of 2024 is, thus, dismissed.

However, since the petitioner is in custody for quite some time, we direct the learned Trial Court to expedite the trial to the fullest and conclude the same by delivery of judgment within eight months from the next date fixed for recording of evidence without granting unnecessary adjournments to either of the parties.

In the event, the learned Trial Court does not conclude the trial within the time period indicated herein, the petitioner will be at liberty to renew his prayer for bail. Parties are directed to 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.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)