

49.
Court
No.28

14.06.2024

(Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (NDPS) 925 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with **Jalangi Police Station Case No. 228 of 2022**, dated **06.07.2022**.

And

In the matter of: - **Saddam Mondal @ Pailot & Anr.**

Mr. Debanshu Ghorai, Adv.,
Mr. Anisur Rahaman, Adv.

...petitioners.

...for the petitioners.

Mr. Sandip Chakraborty, Adv.,
Mr. Kaustav Banerjee, Adv.

...for the State.

The petitioners renew their prayer for bail. The first application of the petitioners was rejected by an order dated April 17, 2023, passed in CRM (NDPS) 403 of 2023. The second application was not pressed by the petitioners.

The petitioners renew their prayer for bail on the ground of inordinate delay in the progress of the trial.

Learned Advocate for the State says that after the earlier rejection, four out of ten witnesses have been examined. The trial may be concluded at an early date.

Allegedly commercial quantity of contraband was seized from the possession of the petitioners. In view of the restriction in Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985, we are not minded to allow the petitioner’s prayer for bail.

The application being CRM (NDPS) 925 of 2024 is accordingly dismissed.

However, since the petitioners are in custody for almost two years, we direct the learned Trial Court to conclude the trial within a period of six months from the next date fixed for recording of evidence, without granting unnecessary adjournments to either of the parties.

We clarify that in the event the trial is not concluded within the time period granted by this Court, the petitioners will be entitled to renew their prayer for bail.

This order is to be communicated to the learned Trial Court by both the parties.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)