

25.06.2024
Item no. 36.
Court No.28.
AB
(Rejected)

CRM (NDPS) 933 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with NDPSTR Case TR 44 of 2021 under Section 20bii(c) , 28, 29, 8c NDPS Act

And

In the matter of : Kalu Charan Gouda

.....Petitioner.

Ms. Devi Priya Mitrafor the Petitioner.

Mr. Sourav Chatterjee

Ms. Hasi Sahafor the NCB

Allegedly, commercial quantity of contraband item was seized from the petitioner and a co-accused person. The petitioner's prayer for bail was rejected on merits by a Coordinate Bench by an order dated 11.5.2023, passed in CRM (NDPS) 957 of 2023.

The petitioner renewed his prayer for bail by filing CRM (NDPS) 648 of 2024. That application was also dismissed by the Coordinate Bench.

Learned Advocate for the NCB says that three out of seven witnesses have been fully examined. The 4th witness has been examined in part. The next schedule for examination has been fixed on 5.8.2024. A report has been filed on behalf of the NCB in Court today, which, inter alia, says that trial is likely to be concluded within 2/3 months.

We direct the learned Trial Court to conclude the trial by delivering judgment by September 30, 2024.

Since commercial quantity of contraband items is involved, we are not inclined to allow the petitioner's prayer for bail, at this stage.

The prayer for bail is, accordingly, rejected.

CRM (NDPS) 933 of 2024 is dismissed.

However, if the trial is not concluded by delivery of judgment within the time period indicated above, the petitioner would be at liberty to renew his prayer for bail.

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.)