

25.06.2024
Item no.11.
Court No.28.
S. De
(Rejected)

CRM (NDPS) No. 953 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure.

And

In the matter of : Rajesh Roy & Anr.

.....Petitioners.

Mr. Pronojit Roy,
.....for the Petitioners.
Mr. Debasis Roy, Ld. P.P.
...for the State.

Commercial quantity of Phensedyl Syrup was seized from the joint possession of the petitioners. They say that they are in custody for 3 years and 6 months. They should be immediately enlarged on bail.

Learned advocate for the State points out that 5 out of 7 witnesses have been examined in full, as per the report of the Investigating Officer. The 6th witness has been examined in part. June 28, 2024, has been fixed as the date for further examination of witness.

In view of the prima facie incriminating material against the petitioners and also keeping in mind that the trial is on the verge of conclusion, we are not inclined to entertain the petitioners' prayer for bail.

CRM (NDPS) 953 of 2024 is dismissed.

However, keeping in mind that the petitioners have been in incarceration for a long period of time, the learned Trial Court is directed to conclude the trial by delivering judgment within two months from the next date fixed for recording of evidence. If the trial is not so concluded, the petitioners will be entitled to renew their prayer for bail.

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.)

(Apurba Sinha Ray, J.)