

19.06.2024
Item no.45.
Court No.28.
AB
(Rejected)

CRM (NDPS) 949 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Bhagwangola P. S. Case No.88 of 2022 dated 11.2.22 under Sections 21C/29 of the NDPS Act

And

In the matter of : Sarikul Islam

.....Petitioner.

Mr. Somnath Adhikaryfor the Petitioner.

Ms. Subhasree Patelfor the State.

Allegedly over 300 bottles of phensedyl was recovered from the possession of the petitioner. His prayer for bail was rejected on 18.12.2023. He renews his prayer on the ground of delay in trial.

Learned Advocate for the State says that charge was framed on 19.1.2024. Next schedule of witness has been fixed on August 9, 12 and 13, 2024. There are eight witnesses.

Having considered the material on record and the prima facie complicity of the petitioner in the alleged offence, we are not inclined to allow the petitioner's prayer for bail, at this stage.

The prayer for bail stands rejected.

CRM (NDPS) 949 of 2024 is dismissed.

However, keeping in mind that the petitioner has been in custody for about two years and four months, we direct the

learned Trial Court to expedite the trial and bring the same to its logical conclusion as soon as possible but positively within six months from the date of communication of this order by the parties to the learned Trial Court.

In the event the trial is not concluded within the time period indicated above, the petitioner will be entitled to renew his 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.)

(Gaurang Kanth, J.)