

18.
25-06-2024
(ct. no.28)
debajyoti
(rejected)

CRM (NDPS) 962 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Special Task Force Kolkata Police Station Case No.01 of 2021 dated 03-01-2021 under Sections 21(c)/22(c)/29 of Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Maher Ali

.... Petitioner.

Mr. Rajeev Lochan

... For the Petitioner.

Mr. Anand Keshari,
Ms. Mamata Jana

... For the State.

The petitioner renews his prayer for bail. His prayer was earlier rejected by a coordinate Bench by an order dated July 05, 2023 passed in CRM (NDPS) 1064 of 2023.

From such rejection, the petitioner approached the Hon'ble Supreme Court by filing petition for Special Leave to Appeal (Crl.) No.13716 of 2023. That Special Leave Petition was disposed of by the Hon'ble Supreme Court by an order dated October 30, 2023 merely by directing the trial Court to conclude the trial within a period of two years, provided the petitioner extends all cooperation in the trial. It was further observed that in the event the trial is not concluded within the aforesaid period, it will be open for the petitioner to revive his application for bail.

The petitioner says that he is in custody for more than three years. Hence, in view of his fundamental right to personal liberty under Article 21 of the Constitution of India, he should be immediately enlarged on bail.

The petitioner has completely suppressed in the bail petition, the order of the Hon'ble Supreme Court referred to above. As per the said order, the trial Court has been directed to conclude the trial within two years from the date of that order. The period has not elapsed. Accordingly, we are not inclined to entertain the prayer for bail.

The application for bail being CRM (NDPS) 962 of 2024 is, thus, **dismissed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)