

16.07.2024
Item no. 7.
Court No.28.
AB
(Rejected)

CRM (NDPS) 959 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Islampur P.S. Case No.181 of 2022 dated 13.3.22 under Sections 21C/23C of the NDPS Act

And

In the matter of : Tilak Bhuiya

.....Petitioner.

Ms. Minoti Gomes,
Ms. Dona Sanyal

.....for the Petitioner.

Md. Anowar Hossain,
Mr. M. F. A. Begg

.....for the State.

Report filed on behalf of the State in Court today, be kept with the records.

We find that during the last schedule fixed on July 9 and 10, 2024, no examination of witnesses took place. In other words, there was no progress in the trial.

The petitioner is now in custody for two years four months. However, we have perused the depositions of the five witnesses, who have been examined by the prosecution. There appears to be some incriminating evidence against the petitioner. Therefore, we are not inclined to grant bail to the petitioner, at this stage.

The prayer for bail is, accordingly, rejected.

CRM (NDPS) 959 of 2024 is dismissed.

We are told that five out of ten witnesses have already been examined.

We direct the learned Trial Court to expedite the trial, if necessary, by preponing the next date if the same has been fixed and conclude the trial within four months from the date of communication of this order, by the parties to the learned Trial Judge, without granting any unnecessary adjournment to either of the parties.

We make it clear that if the trial is not concluded within the time period indicated herein, the petitioner will 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.)