

25.06.2024
Item no. 61.
Court No.28.
AB
(Rejected)

CRM (NDPS) 991 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Cossipur P. S. Case No.100 of 2023 dated 10.6.2023 under Sections 20BiiC /29 of the NDPS Act

And

In the matter of : Chayan Mitra

.....Petitioner.

Mr. Anshuman Chakraborty
Mr. S. S. Sahafor the Petitioner.

Ms. Sayanti Santra,
Mr. Rahul Gangulyfor the State.

The petitioner renews his prayer for bail, which was rejected earlier by a Coordinate Bench by an order dated 19.12.2023, passed in CRM (NDPS) 1996 of 2023.

The petitioner says that he has absolutely no truck with the alleged incident of trafficking in contraband items. Bail has been granted to a co-accused person by a Coordinate Bench by an order dated 9.5.2024. He stands on the same footing as that person. No money trail has been established between him and the co-accused from whom narcotic was recovered. He is in custody for 11 months. Charge is yet to be framed.

Learned Advocate for the State produces the case diary and draws our attention to the relevant material including call detail reports. It prima facie appears that the petitioner was in contact telephonically with the other accused persons. It cannot

be ruled out that the petitioner is part of a larger network of organized crime.

In view of the prima facie incriminating evidence against the petitioner and considering the possible extent of his complicity in the alleged crime, we are not inclined to entertain the prayer of the petitioner, at this stage.

The prayer for bail is, accordingly, rejected.

CRM (NDPS) 991 of 2024 is dismissed.

However, we request the learned Trial Court to consider the issue of framing of charges on the scheduled date and if charges are framed, to carry the trial to its logical conclusion as expeditiously as possible.

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.)