

28.06.2024
Item no.13.
Court No.28.
S. De
(Rejected)

CRM (NDPS) No. 992 of 2024

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

And

In the matter of : Mahibur Rahaman.

.....Petitioner.

Mr. Tapodip Gupta,
.....for the Petitioner.
Mr. Sandip Chakraborty,
Mrs. S. Roy,
...for the State.

The petitioner renews his prayer for bail which was rejected by a co-ordinate Bench by an order dated February 13, 2024, passed in CRM (NDPS) 302 of 2024.

Allegedly, 1460 pieces of Yaba tablets, which is above commercial quantity, were recovered from the residence of the petitioner. The petitioner says that he is in custody for 1 year 3 months. There is no substantial progress in trial. He should be granted bail.

Learned advocate for the State tells us that after the last rejection order was passed, 2 out of 11 witnesses have been examined. The State shall make all endeavours so that the trial is concluded at an early date.

From the case diary, we find prima facie involvement of the petitioner in the alleged offence. Therefore, commercial

quantity of narcotics being involved, we are not inclined grant bail to the petitioner immediately.

CRM (NDPS) 992 of 2024 is dismissed.

However, since the petitioner has been in custody for quite some time, we direct the learned trial Court to expedite the trial to the fullest and conclude the same within 1 year from the next date fixed before it without granting any unnecessary adjournment to either of the parties.

We clarify that in the event, the trial is not concluded within the time period indicated above, the petitioner will be at liberty 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.)

(Apurba Sinha Ray, J.)