

03.07.2024
Item no. 16.
Court No.28.
AB
(Rejected)

CRM (NDPS) 1005 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Swarupnagar P.S. Case No.536 of 2023 dated 25.8.23 under Sections 21(c) of the NDPS Act

And

In the matter of : Sabir Shekh @ Sabir Sake

.....Petitioner.

Md. Zeeshanuddin
Mr. M. H. Chowdhuryfor the Petitioner.

Mr. Atif Ahmed Siddiquifor the State.

The petitioner says that he is in custody for about one year. He says that he has been falsely implicated. There is no sufficient evidence against him. He should be released on bail.

Learned Advocate for the State, while opposing the prayer for bail, says that 194 bottles (much beyond commercial quantity) of phensedyl syrup was seized from the exclusive possession of the petitioner. 4 out of 8 witnesses have already been examined. There is sufficient incriminating evidence against the petitioner. The trial may be concluded at an early date.

In view of the commercial quantity of contraband involved and since we find prima facie incriminating material against the petitioner, we are not inclined to allow his prayer for bail, at this stage.

The prayer for bail is, accordingly, rejected.

CRM (NDPS) 1005 of 2024 is dismissed.

However, since the petitioner has been in custody for about one year, we direct the learned Trial Court to conclude the trial within four months from the next date fixed for recording of evidence.

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.)