

26.
28-06-2024
(ct. no.28)
debajyoti
(rejected)

CRM (NDPS) 1006 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Belgharia Police Station Case No.155 of 2022 dated 10-03-2022 under Sections 21(b)/29 of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Sujoy Sarkar

.... Petitioner.

Mr. Debasis Kar

... For the Petitioner.

Mr. Subrata Roy,
Mr. Atulya Sinha

... For the State.

The petitioner renews his prayer for bail, which was rejected earlier by a coordinate Bench by order dated December 29, 2023 passed in CRM (NDPS) 2108 of 2023. The coordinate Bench had requested the learned trial Court to expedite the trial by preponing the next date fixed for evidence.

The petitioner says that he is in custody for almost two years four months. 4 out of 8 witnesses have been examined. There is little likelihood of the trial concluding at an early date. Hence, he should be enlarged on bail on the ground of delay in progress of the trial.

Learned advocate for the State says that July 03, 04 and 05, 2024 have been fixed as the next schedule for examination of witnesses. The trial is likely to conclude at a very early date. There is incriminating evidence against the petitioner. His prayer for bail should not be entertained at this stage.

We have seen the FSL report and other material in the Case Diary. There appears to be *prima facie* incriminating

evidence against the petitioner. Since the trial is at an advanced stage, we are not inclined to grant bail to the petitioner immediately.

However, considering the fact that the petitioner has been in custody for quite some time, we direct the learned trial Court to expedite the trial and to conclude the same by delivery of judgment by the end of August, 2024.

We clarify that if the trial is not concluded within the time period indicated herein, the petitioner will be entitled to renew his prayer for bail.

The application for bail being CRM (NDPS) 1006 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.)