

03.07.2024
Item no. 18.
Court No.28.
AB
(Rejected)

CRM (NDPS) 1011 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Sankrail P.S. Case No.64 of 2023 dated 23.1.23 under Sections 20(b)(ii)(c) of the NDPS Act

And

In the matter of : Nilkamal Das

.....Petitioner.

Mr. Gobinda Chandra Baidyafor the Petitioner.

Ms. Minoti Gomes,
Mr. Dattatreya Duttafor the State.

44 kilograms of ganja was allegedly seized from the possession of the petitioner. In view of the commercial quantity of contraband involved, keeping in mind the restrictions in Section 37 of the NDPS Act, we are not inclined to allow the petitioner's prayer for bail, at this stage.

The prayer for bail is, accordingly, rejected.

CRM (NDPS) 1011 of 2024 is dismissed.

However, the petitioner says that he is in custody for 428 days. Charge is yet to be framed.

We are told that there are 11 witnesses.

Learned Advocate for the State says that July 15, 2024, has been fixed as the date for consideration of charges.

We direct the learned Trial Court to ensure that the issue of framing of charges is taken up on that date, without granting any unnecessary adjournment to either of the parties

and if charges are framed, to expedite the trial to the utmost and conclude the same within a year from the date of framing of charges.

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.)