

24.07.2024

Item no. 4.

Court No.28.

AB

(Rejected)

CRM (NDPS) 1103 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure 1973 in connection with New Barrackpore P.S. Case No.220 of 2022 dated 21.6.2022 under Section 21C/29 of the NDPS Act

And

In the matter of : Sarif Sk.

.....Petitioner.

Mr. Debasish Kar

.....for the Petitioner.

Ms. Minoti Gomes,

Mr. Subhojit Choudhury

.....for the State.

Dictated by Partha Sarathi Sen, J.

1. In support of the application for bail, it is submitted that considering the fact that the involvement of the present accused petitioner in the alleged offence is very remote, the instant application may be considered favourably.
2. While opposing the prayer for bail, learned Advocate for the State draws our attention to the evidence of the seizure witnesses wherefrom the name of the present accused petitioner transpires.
3. Considering the prima facie involvement of the present accused petitioner in the alleged crime, we are not inclined to exercise our discretion under Section 439 Cr.P.C. in favour of the present petitioner.

4. The prayer for bail is, accordingly, rejected.
5. CRM (NDPS) 1103 of 2024 is dismissed.
6. Learned Trial Court is directed to expedite the trial and to conclude the same preferably within a period of six months from the date of communication of this order.
7. The parties shall communicate this order to the learned Trial Court.
8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Partha Sarathi Sen, J.)