

16.07.2024
Item no. 39.
Court No.28.
AB
(Rejected)

CRM (NDPS) 1106 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak P.S. Case No.37 of 2022 dated 10.1.22 under Sections 21C/27A/29 of the NDPS Act

And

In the matter of : Pappu Sagar

.....Petitioner.

Mr. M. Chatterjee,
Mr. Debapriya Majumdar,
Mr. Tushar Hazra,
Mr. Arindam Poali

.....for the Petitioner.

Mr. Partha Pratim Das
Ms. Suchismita Dutta

.....for the State.

The petitioner renews his prayer for bail, which was rejected by a Coordinate Bench on February 2, 2024. He says that he is in custody for about two year six months. Charge has not been framed. There is no certainty as to when the trial will conclude. He seeks bail.

Learned Advocate for the State produces the relevant papers and points out that charge was framed on 15.07.2024. She says that there are 11 witnesses named in the charge sheet. The witness action will begin soon. More than 300 grams of heroin was recovered from the exclusive possession of this petitioner. There is sufficient incriminating material against the petitioner.

Having considered the material on record and the prima facie incriminating material against the petitioner, we are not inclined to allow the petitioner's prayer for bail, at this stage.

The prayer for bail is, accordingly, rejected.

CRM (NDPS) 1106 of 2024 is dismissed.

However, considering the lengthy detention of the petitioner, we direct the learned Trial Court to expedite the trial to the fullest extent possible and conclude the same as soon as possible, but positively within eight months from the date of communication of this order by the parties to the learned Trial Court.

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.)

