

CRM (NDPS) 1110 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure

- A n d -

In the matter of : Ibrahim Sk. @ Ibrahim Sekh.

.... Petitioner.

Mr. Imtiaz Ahmed,
Mr. M. Hossain Chowdhury,
Mr. A. Firdous,

... For the Petitioner.

Mr. S. Bhattacharyya,
Ms. Pinki Sarkar,

... For the State.

The petitioner says that he has been falsely implicated. He has a perfect alibi. He was not present at the place of seizure. He has nothing to do with the contraband items which were seized. He is in custody for 291 days. The trial has not progressed appreciably. He should be granted bail.

Learned advocate for the State opposes the prayer for bail. He says that both the petitioner and his father absconded when the raiding team visited the place of occurrence. Commercial quantity of contraband item was recovered from the bedroom of the present petitioner. 2 out of 9 witnesses have already been examined. The next date fixed for examination is October 3, 2024. The prayer for bail should not be allowed at this stage.

We have considered the rival contentions of the parties. The petitioner's father was granted anticipatory bail since the co-ordinate Bench observed that a report that had been filed was unclear as to whether the property in question belongs to that

present petitioner's father or not. It was observed that apart from father-son relationship, police were unable to demonstrate any other relationship at that stage.

We find that it was also the case of the present petitioner's father that the narcotics were seized from the bedroom of the present petitioner.

In view of the aforesaid, we are not inclined to allow the petitioner's prayer for bail.

CRM (NDPS) 1110 of 2024 is dismissed.

However, we direct the learned Trial Court to expedite the trial and conclude the same at the earliest and positively within six months from the date of communication of this order by the parties 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.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)