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16-07-2024
(ct. no.28)
S. De
(Rejected)

CRM (NDPS) 1118 of 2024

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

- A n d -

In the matter of : **Monirul Sk..**

.... Petitioner.

Mr. Anisur Rahaman,

... For the Petitioner.

Mr. Anwar Hossain

Mr. Rajes Jana,

... For the State.

The petitioner says that he has no connection with the alleged offence. He has been falsely implicated. He is in custody for 1 year 6 months. Only 1 out of 18 charge-sheet named witnesses has been examined. On the ground of delay in trial, he seeks bail.

Learned State counsel says that 3 out of 18 charge-sheet named witnesses have been examined. It may not be necessary to examine all 18 witnesses. Today was the date fixed for further examination of witnesses. However, because of this bail application, the case diary is not available with the learned Trial Court and, therefore, the matter had to be adjourned.

From the case diary we find that there is prima facie incriminating evidence against the petitioner. Hence, we are not inclined to grant bail to him, at this stage.

CRM (NDPS) 1118 of 2024 is dismissed.

However, keeping in mind the lengthy detention of the petitioner, we direct the learned Trial Court to expedite the trial and conclude the same as soon as possible and positively within 1 year

from the date of communication of this order by the parties to the learned Trial Court.

We clarify 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.

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.)