

52.
16-07-2024
(ct. no.28)
debajyoti
(rejected)

CRM (NDPS) 1119 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sagarpara Police Station Case No.08 of 2022 dated 13-01-2022 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Manik Halder @ Manik Chandra Halder
.... Petitioner.

Mr. Arnab Chatterjee,
Mr. Anisur Rahman

... For the Petitioner.

Ms. Anasuya Sinha,
Mr. Santanu Deb Roy

... For the State.

The petitioner renews his prayer for bail which was rejected earlier on January 10, 2024. He says that he is in custody for 2 years 6 months. Only 1 out of 7 witnesses has been examined. On the ground of delay, he seeks bail.

Learned advocate for the State points out that two other accused persons were absconding. Warrants of Arrest were issued. One of them has been arrested. That person and the petitioner are facing trial now. Only six charge sheet named witnesses remain to be examined. All of them may not be examined also. The trial shall conclude at an early date.

We have considered the material on record. There appears to be *prima facie* incriminating material against the petitioner from whom seizure of commercial quantity of *Phensedyl* was made. The co-accused persons have been implicated on the basis of the statements made by this petitioner.

We are, therefore, not inclined to allow the petitioner's prayer for bail, at this stage.

However, keeping in mind the already lengthy detention of the petitioner, we direct the learned trial Court to conclude the trial by doing everything that is necessary, as early as possible, but positively within six months from the next dates fixed for recording of evidence, which, we are told, are 21-23 August, 2024.

We clarify that in the event the trial is not concluded within the time period indicated herein, the petitioner will be at liberty to renew his prayer for bail.

The application for bail being CRM (NDPS) 1119 of 2024 is, thus, **dismissed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)