

30.08.2024
Item no. 12.
Court No.28.
AB
(Rejected)

CRM (NDPS) 1170 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Dalkhola Police Station Case No.174 of 2022 Dated 4.6.2022 under Sections 21(c)/22(c)/25/28/29 of the NDPS Act

And

In the matter of : Bipul Roy & Anr.

.....Petitioners.

Mr. Pronojit Royfor the Petitioners.

Mr. Madhusudan Sur, Id. APP
Mr. Amanul Islamfor the State.

Dictated by Arijit Banerjee, J.

1. Be it noted that in the order dated August 5, 2024, passed by a Coordinate Bench, it was erroneously recorded that 1200 bottles of phensedyl syrup was recovered from the concerned vehicle. In fact, 21,100 bottles of phensedyl were recovered.
2. The petitioners pray for bail primarily on the ground of delay in progress of the trial. They are in custody for over two years and two months. They say that 6 out of 9 witnesses have been examined. The prosecution now proposes to add another witness.
3. Opposing the prayer for bail, learned Additional Public Prosecutor draws our attention to the relevant material

in the case diary. He says that the next date for recording of evidence is October 3, 2024.

4. In view of the huge quantity of contraband items being involved, we are not inclined to allow the petitioners' prayer for bail, at this stage.
5. The prayer for bail is, accordingly, rejected.
6. CRM (NDPS) 1170 of 2024 is dismissed.
7. However, since the petitioners have been in judicial custody for quite a long period of time, we direct the learned Trial Court to expedite the trial and conclude the same within four months from the next date fixed for recording of evidence, without granting any unnecessary adjournment to either of the parties. The parties shall cooperate to the fullest extent with the learned Trial Court in bringing the trial to a conclusion within the time period indicated herein.
8. The parties as well as learned Registrar General are requested to communicate this order to the learned Trial Court.
9. 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.)

