

6.
01-10-2024
(ct. no.28)
debajyoti
(rejected)

CRM (NDPS) 1171 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Habra Police Station Case No.826 of 2023 dated 13-09-2023 under Sections 21(C)/22(c)/25/29 of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Kuldeep Gupta & Anr.

.... Petitioners.

Mr. Angshuman Chakraborty

... For the Petitioners.

Mr. Rudradipta Nandy, learned APP,
Ms. Debjani Dasgupta

... For the State.

Dictated by Arijit Banerjee, J.

Commercial quantity of contraband item was recovered from the concerned vehicle. The petitioners say that they were khalasies in the vehicle. They have no connection with the contraband items and they were not aware that such items were there in the vehicle. They say that they are in custody for about one year. On the last four occasions, witnesses did not turn up before the learned trial Court. They pray for bail.

Opposing the prayer for bail, learned Additional Public Prosecutor says that the petitioners had full knowledge of the contraband items being there in the vehicle. There is sufficient incriminating evidence against them. There are only 10 (ten) charge sheet named witnesses. The trial can be concluded on an early date.

In view of commercial quantity of contraband item (4900 bottles of *Phensedyl* Syrup containing Codeine Mixture)

being involved, we are not inclined to grant bail to the petitioners.

The application for bail being CRM (NDPS) 1171 of 2024 is, thus, **dismissed**.

However, since the petitioners are in judicial custody for about a year, we request the learned trial Court to expedite the trial and conclude the same on an early date and preferably within eight months from the next date fixed for recording evidence.

Parties shall communicate this order to the learned trial Court forthwith.

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.)