

04.09.2024
Item no. 12.
Court No.28.
AB
(Rejected)

CRM (NDPS) 1178 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 NDPS Case No.126 of 2021 under Sections 8C/21C/29 of the NDPS Act

And

In the matter of : Bapan Ghosh & Anr.Petitioners.

Ms. Shabana Hasin,
Ms. Shamima Akter Banu,
Ms. Neha Royfor the Petitioners.

Mr. Arun Kr. Maity (Mohanty)
Ms. Sumita Sarkarfor the NCB.

Dictated by Arijit Banerjee, J.

1. The petitioners renew their prayer for bail, which was rejected on merits earlier on February 19, 2024. The Coordinate Bench had directed the learned Trial Court to fix schedules at short intervals and conclude the trial at an early date preferably within one year from the next date fixed for recording evidence.
2. Learned Advocate appearing for the NCB says that the one year period will expire on March 20, 2025. Still there is adequate time left for conclusion of the trial before that date. This is a premature application.
3. We have to agree with the learned Advocate for the NCB. Although learned Advocate for the petitioners says that no appreciable steps have been taken after the order

dated February 19, 2024, was passed by the Coordinate Bench and, therefore, it will not be possible to conclude the trial within the time period indicated in that order, this is more of her speculation. It is still possible to conclude the trial within the time period prescribed by the Coordinate Bench in its order dated February 19, 2024.

4. We direct the learned Trial Court to ensure that the time frame indicated by the Coordinate Bench in its order dated February 19, 2024, is strictly adhered to.
5. The prayer for bail is, accordingly, rejected.
6. CRM (NDPS) 1178 of 2024 is dismissed.
7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Prasenjit Biswas, J.)