

7.  
01-10-2024  
(ct. no.28)  
debajyoti  
(rejected)

## CRM (NDPS) 1201 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 : Dheeraj Biswakarma**

.... Petitioner.

Mr. Angshuman Chakraborty

... For the Petitioner.

Mr. Manoranjan Mahata

... For the State.

### **Dictated by Arijit Banerjee, J.**

Commercial quantity of contraband item was recovered from the concerned vehicle. The petitioner says that he is the owner cum driver of the vehicle. He has no connection with the contraband items. He says that he is in custody for about one year. On the last four occasions, witnesses did not turn up before the learned trial Court. He prays for bail.

Opposing the prayer for bail, learned advocate for State says that the petitioner had full knowledge of the contraband items being there in the vehicle. There is sufficient incriminating evidence against him. 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 items (4900 bottles of *Phensedyl* Syrup containing Codeine Mixture)

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

The application for bail being CRM (NDPS) 1201 of 2024 is, thus, **dismissed**.

However, since the petitioner is 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.)**