

12.
23-09-2024
(ct. no.28)
debajyoti
(rejected)

CRM (NDPS) 1208 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with S.T.F Kolkata FIR No.16 of 2022 dated 21-06-2022 under Section 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Raju Shaw @ Barka

.... Petitioner.

Mr. Rajiv Lochan

... For the Petitioner.

Mr. Sudip Kumar, learned APP,
Mr. Nirupam Dhali

... For the State.

Dictated by Arijit Banerjee, J.

Learned advocate for the petitioner says that there are serious procedural flaws in the matter of seizure of the contraband items. The prosecution is bound to fail.

Learned advocate for the State tells us that only three witnesses remain to be examined. Huge quantity of *Charas* was recovered from this petitioner.

In view of the fact that *prima facie* there are incriminating materials against the petitioner and that the trial is at an advanced stage, we are not inclined to grant bail to the petitioner.

The application for bail being CRM (NDPS) 1208 of 2024 is, thus, **dismissed**, at this stage.

However, considering that the petitioner is in custody for more than two years, we direct the learned trial Court to

expedite the trial and conclude the same at the earliest and positively, by the end of November, 2024, failing which the petitioner will be at liberty to renew his prayer for bail.

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

Registry is also requested to communicate this order to the learned trial Court immediately.

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.)