

46.
19-08-2024
(ct. no.28)
debajyoti
(rejected)

CRM (NDPS) 1205 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/under Section 483 of BNSS, 2023 in connection with Excise SI Seizure List No.09 of 2023-2024 dated 15-06-2023 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Samir Paul @ Samir Pal

.... Petitioner.

Mr. Ali Ahasan Alamgir,
Ms. Soma Mal,
Ms. Rabia Khatoon,
Ms. June Modak

... For the Petitioner.

Mr. Suman De,
Ms. Sima Biswas

... For the State.

Dictated by Arijit Banerjee, J.

Commercial quantity of contraband items was recovered from the custody of this petitioner. In view of the restriction in Section 37 of the NDPS Act, we are not inclined to enlarge the petitioner on bail, at this stage.

The petitioner says that there was no independent witness to the seizure list. He is in custody for about one year. Even copies have not been supplied under Section 207 of the Code of Criminal Procedure. It is anybody's guess as to when the trial will begin and end.

While opposing the prayer for bail, learned advocate for the State points out that a number of co-accused persons are still absconding. That is the reason for the delay. July 18, 2024 was fixed as the date for consideration of charges. However, learned advocate for the State does not have any instruction as to what happened on that date.

Since the petitioner is in custody for quite some time, we direct the learned trial Court to expedite the trial to the fullest extent possible and bring the same to an end as soon as possible but positively, within 15 months from the date of communication of this order by the parties to the learned trial Court.

We clarify that in the event the trial is not concluded within the time period indicated herein, the petitioner will be at liberty to renew his prayer for bail.

The application for bail being CRM (NDPS) 1205 of 2024 is, thus, **dismissed**.

Registry is directed to communicate this order to the learned trial Court.

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.)