

22
30-08-2024
(ct. no.28)
S. De
(Rejected)

CRM (NDPS) 1227 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure.

- A n d -

In the matter of : Madan Gopal Mishra.

.... Petitioner.

Mr. Imtiaz Ahmed,
Mrs. Ghazala Firdaus,
Mr. Mazahar Hossain Chowdhury,
Mr. Mohammed Arsachan,
Mr. D. Roy,

... For the Petitioner.

Mr. Nadeem Sulaiman,
Mr. Tapan Bhanja, ... For the Directorate of Revenue Intelligence.

Order dictated by Arijit Banerjee, J.

1. The petitioner complains that he is in custody for 314 days. He has been made a scapegoat. He is not involved in the alleged peddling of 4 kgs. of Heroine which was recovered from his luggage at the Calcutta Airport.
2. Learned advocate for the Union of India (D.R.I.) produces the case diary including the seizure cum inventory list. The seizure list clearly states that the contraband item was recovered from the petitioner.
3. In view of the huge quantity of heroin involved, we are not inclined to allow the petitioner's prayer for bail.
4. CRM (NDPS) 1227 of 2024 is dismissed.
5. We are told that three dates were fixed for framing of charge. The same could not be done. The next date is November 11, 2024.

6. We direct the learned Trial Court to positively consider the issue of framing the charges on that day and if charges are framed, to conclude the trial at an early date and positively within six months from the date of framing of charge.
7. Let this order be communicated by the parties to the learned Trial Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)