

13.
23-09-2024
(ct. no.28)
debajyoti
(rejected)

CRM (NDPS) 1243 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 Gaighata Police Station Case No.594 of 2022 dated 23-06-2022 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

**In the matter of : Sk Giasuddin alias Giasuddin Morol
alias Morol
.... Petitioner.**

Mr. Angshuman Chakraborty,
Mr. Shashanka Shekhar Saha
... For the Petitioner.

Ms. Baisali Basu,
Ms. Sudipa Biswas
... For the State.

Dictated by Arijit Banerjee, J.

Learned advocate for the petitioner has come back with the instruction that the petitioner does not have an EPIC Card or a PAN Card. The report filed by the State as regards the petitioner's AADHAAR Card is inconclusive. Let the report be kept with the records.

The petitioner says that he is in custody for about two years six months. Not a single witness has been examined. There are fourteen charge sheet named witnesses. While disposing of a criminal revisional application filed by the petitioner, a learned Judge of this Court by order dated August 10, 2023, had directed expeditious disposal of the trial. He prays for bail.

Opposing the prayer for bail, learned State advocate says that the petitioner *prima facie* appears to be a foreigner.

He has no valid document to show that he is an Indian national. There is every chance of the petitioner absconding if he is released on bail.

In view of the incriminating material against the petitioner, we are not inclined to allow the petitioner's prayer for bail, at this stage.

However, considering that the petitioner is in custody for a very long time, we direct the learned trial Court to expedite the trial and conclude the same at the earliest and positively, within a year from the date of communication of this order by the parties to the learned trial Court, if necessary, by preponing the next date fixed for hearing.

The application for bail being CRM (NDPS) 1243 of 2024 is, thus, **dismissed**.

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.)