

23.08.2024
Item no. 25.
Court No.28.
AB
(Rejected)

CRM (NDPS) 1264 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kaliachak P.S. Case No.40 of 2021 dated 9.1.2021 under Sections 21C/ 29 of the NDPS Act

And

In the matter of : Abdul Kuddus @ Kuddus & Anr.

.....Petitioners.

Mr. Amitava Karmakar
Mr. A. K. Bhowmickfor the Petitioners.

Mr. Debabrata Chatterjee
Mr. Subham Bhakatfor the State.

Dictated by Arijit Banerjee, J.

1. Report filed on behalf of the State, be kept with the records.
2. Learned Advocate for the State says that argument has started. By an order dated March 21, 2024, a Coordinate Bench, while rejecting the petitioners' prayer for bail, being CRM (NDPS) 542 of 2024, had granted six months' time for conclusion of the trial. Learned Advocate says that six months' time will expire on September 20, 2024. Therefore, the prosecution still has time.
3. We agree to the extent that the time granted has not yet elapsed. Therefore, we are not inclined to entertain the present application for bail.

4. The prayer for bail is, accordingly, rejected.
5. CRM (NDPS) 1264 of 2024 is dismissed.
6. However, we clarify that if the trial is not concluded by September 20, 2024, by delivery of judgment, the petitioners will be entitled to renew their prayer for bail.
7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)