

24.
04-09-2024
(ct. no.28)
debajyoti
(rejected)

CRM (NDPS) 1298 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Baduria Police Station Case No.396 of 2023 dated 28-06-2023 under Sections 21(C)/29 of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

**In the matter of : Md. Ali Gazi alias Ali Gazi alias
Mohammed Ali Gazi
.... Petitioner.**

Mr. Angshuman Chakraborty

... For the Petitioner.

Mr. Avishek Sinha,
Mr. Sandip Kundu

... For the State.

Dictated by Arijit Banerjee, J.

The petitioner renews his prayer for bail which was rejected on merits earlier on April 04, 2024. There is no significant change of circumstance. Hence, we are not inclined to entertain the petitioner's prayer for bail.

However, the petitioner is in custody for about one year two months. Learned advocate for the State tells us that although there are 18 charge sheet named witnesses, the prosecution proposes to examine 11/12 witnesses.

Learned advocate for the State also points out that on the last three dates, learned advocates for the accused persons were not present and, as such, recording of evidence could not commence.

We are told that November 28, 2024 and November 30, 2024 have been fixed as next schedule for examination of witness. We request the learned trial Court to prepone such date, if necessary, so that the trial can be concluded on an

early date and definitely, within a year from the next date fixed for recording of evidence.

The application for bail being CRM (NDPS) 1298 of 2024 is, thus, **dismissed**.

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 her prayer for bail.

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.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)