

57.
23-08-2024
(ct. no.28)
debajyoti
(rejected)

CRM (NDPS) 1309 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 Police Station Case No.1206 of 2023 dated 08-09-2023 under Sections 21(c)/27A/29 of the Narcotic Drugs and Psychotropic Substances Act read with Sections 341/186/353/332/333/307/379/34 of the Indian Penal Code.

- A n d -

In the matter of : Saukat Ali @ Saukat Sk @ Saukat Bhutta
.... Petitioner.

Mr. Avinaba Patra

... For the Petitioner.

Mr. Saibal Bapuli, learned APP,
Mr. Dipankar Mahata

... For the State.

Dictated by Apurba Sinha Ray, J.

The petitioner says that he is in custody for more than 11 months. There is no material against him. In spite of that, he has been languishing in custody for more than 11 months. The witness did not specifically state his involvement during evidence. He may be enlarged on bail on any condition.

Learned counsel for the State opposes the prayer for bail. He points out that on June 25, 2024, one bail application of an accused similarly circumstanced was rejected by this Court. There are four witnesses who remain to be examined and as such, the prayer for bail of the present petitioner should be rejected.

We have considered the material on record including the order dated June 25, 2024 whereby the bail prayer of a similarly circumstanced accused was rejected by this Bench. We have also considered the depositions of the witnesses. We

are not inclined to allow the prayer of the petitioner for bail, at this stage.

The application for bail being CRM (NDPS) 1309 of 2024 is, thus, **dismissed**.

Since the petitioner is in custody for a considerable period of time, we request the learned trial Court to conclude the trial within six months from the next date fixed for recording of evidence, without granting unnecessary adjournment to either of the parties.

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

Learned Registrar General of this Court is requested to forthwith communicate this order to the learned trial Court. Parties will also be at liberty 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.)