

CRM (NDPS) 1326 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Kaliganj Police Station** Case No. **626 of 2022** dated **23.09.2022** under Section **20(b)/25/29** of NDPS Act.

- A n d -

In the matter of : Biman Kishore Sen

.... Petitioner.

Mr. Sumanta Das,

... For the Petitioner.

Mr. Sujan Chatterjee,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. The petitioner renews his prayer for bail which was rejected earlier on February 7, 2024. 52 kgs of ganja was recovered from him.
2. The petitioner says that he is in custody for about two years. Not a single witness has been examined. On the ground of delay in progress of trial, he prays for bail.
3. While opposing the prayer for bail, learned Advocate for the State says that charge was framed in July, 2024. There are 23 charge sheet named witnesses. However, it may not be necessary to examine all the charge sheet named witnesses.
4. *Prima facie*, there definitely is incriminating material against the petitioner and in view of the restriction in Section 37 of the NDPS Act also, we are not inclined to enlarge the petitioner on bail at this stage.
5. CRM (NDPS) 1326 of 2024 is, thus, dismissed.
6. However, considering that the petitioner is in custody for an appreciable length of time, we direct the learned Trial Court to

expedite the trial to the fullest and conclude the same within one year from the date of communication of this order by the parties and by the Learned Registrar General of this Court to the learned Trial Court, without granting unnecessary adjournments to either of the parties, if necessary, by fixing frequent schedules for examination of witnesses.

7. 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 his prayer for bail.

8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)