

23.09.2024
Item no.22.
Court No.28.
S. De
(Rejected)

CRM (NDPS) No.1325 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure read with Section 483 of Bharatia Nagarik Suraksha Sanhita, 2023.

And

In the matter of : Mainuddin Mondal.

.....Petitioner.

Mr. Rajeev Lochan,
Ms. Riya Jhapri,for the Petitioner.

Mr. S. Santra
Mr. A. Mondal,for the State.

Order dictated by Arijit Banerjee, J.

1. The petitioner renews his prayer for bail which was rejected on merits on December 19, 2023. He says that he is in custody for 3 years and 11 months. Out of 11 chargesheet named witnesses, only 4 have been examined. On the ground of delay, he prays for bail.
2. Opposing the prayer, learned State advocate tells us that three more prosecution witnesses will be examined. By the end of the year, the trial can be concluded.
3. We see that allegedly 4.2 kgs. of heroin was recovered from this petitioner. The trial is at an advanced stage. We are not inclined to allow the prayer for bail, at this stage.
4. CRM(NDPS) 1325 of 2024 is dismissed.

5. However, considering the fact that the petitioner has been in custody for quite some time and keeping in mind the importance of a citizen's fundamental right to personal liberty and speedy trial, we direct the learned trial Court to expedite the trial to the fullest extent and conclude the same at an early date and positively by the end of this year, if necessary by preponing the next date fixed for recording of evidence.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)