

28.
23-09-2024
(ct. no.28)
debajyoti
(rejected)

CRM (NDPS) 1340 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sealdah GRPS Case No.41 of 2023 dated 04-05-2023 under Section 21(c) of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Humayun Sheikh

.... Petitioner.

Mr. Soumyajit Das Mahapatra,
Mr. Md. G. N. Imrohi,
Ms. Madhurai Sinha

... For the Petitioner.

Ms. Faria Hossain,
Mr. Subhajit Chowdhury

... For the State.

Dictated by Arijit Banerjee, J.

The petitioner says that he is in custody for about one year five months. He has been falsely implicated. The Executive Magistrate in whose presence inventory was prepared, has not been cited as witness in the charge-sheet. He prays for bail.

Opposing the prayer for bail, learned State advocate points out that 160 bottles of *Phensedyl* syrup containing Codeine Phosphate was recovered from the petitioner. Five out of ten witnesses have already been examined. The trial may be concluded at an early date.

Considering that commercial quantity of contraband items is involved, we are not inclined to allow the petitioner's prayer for bail.

The application for bail being CRM (NDPS) 1340 of 2024 is, thus, **dismissed**.

However, since the petitioner has been in custody for quite some time, we direct the learned trial Court to expedite the trial and conclude the same at an early date and definitely, within six months from the next date fixed for recording of evidence.

Parties shall communicate this order to the learned trial Court forthwith.

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.)