

25.
Court
No.28

17.09.2024
(Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (NDPS) 1351 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of: - **Golam Murshed**

...petitioner.

Mr. Milon Mukherjee, Ld. Sr. Adv.
Mr. Tapodip Gupta

...for the petitioner.

Mr. Avishek Sinha
Ms. Pallavi Priyadarshee

...for the State.

Dictated by Apurba Sinha Ray, J.

1. Learned Senior Advocate for the petitioner fairly admits that the contraband article seized was of commercial quantity. However, he mentions that two accused persons have been granted bail by this Court on August 19, 2024. Learned Counsel prays for bail only on the ground of delay in trial. However, he left the matter to the discretion of this Court.
2. Learned Counsel for the State opposes the prayer for bail and submits that the present petitioner does not stand on the same footing as the other accused persons who were granted bail by this Court. It is submitted that six witnesses have already been examined and five more witnesses will be examined by the prosecution in the trial.
3. We have gone through the materials on record wherefrom it appears that that examination of the witnesses has

progressed to a great extent and there are certain incriminating materials against the present petitioner.

4. In view of the above, we are not inclined to allow the petitioner's prayer for bail. Hence, the prayer for bail is rejected, at this stage.
5. The application being CRM (NDPS) 1351 of 2024 is accordingly dismissed.
6. However, we direct the learned Trial Court to expedite the trial as much as possible and conclude the same after recording of evidences of the witnesses and also by delivering judgment by the end of this year.
7. This order shall be immediately communicated by both the parties to the learned Trial Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)