

60.
Court
No.28

04.09.2024
(Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (NDPS) 1353 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: **Alam Sk**

...petitioner.

Mr. Debanshu Ghorai
Mr. Anisur Rahman

...for the petitioner.

Mr. Suman De
Mr. Md. Ejaz Akhter

...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner renews his prayer for bail which was rejected earlier on May 16, 2023, in CRM (NDPS) 981 of 2023. He says that he is in custody for about two years. Only eight out of 18 witnesses have been examined.
2. While opposing the prayer for bail, learned Advocate for the State points out that 273 grams of heroin was recovered from the joint possession of the accused persons including this petitioner.
3. In view of commercial quantity of contraband items being involved and the restriction in Section 37 of the NDPS Act, 1985, we are not inclined to allow the petitioner’s prayer for bail.
4. The application being CRM (NDPS) 1353 of 2024 is accordingly dismissed.

5. However, 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 and conclude the same at an early date but positively within six months from the next date fixed for recording of evidence without granting unnecessary adjournment to either of the parties. The parties shall fully co-operate with the learned Trial Court to enable it to conclude the trial within the time period indicated herein.

(Arijit Banerjee, J.)

(Prasenjit Biswas, J.)