

15. 23.09.2024
Court
No.28 (Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (NDPS) 1367 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: - **Sanjay Dhar**

...petitioner.

Mr. Pradyat Saha
Mr. Purnendu Das

...for the petitioner.

Mr. Madhusudan Sur, APP
Mr. Shiladitya Banerjee

...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he is in custody for one year and four months. Only one witness has been examined and that too, in part. Only a motorcycle was seized from him. He prays for bail.
2. While opposing the prayer for bail, learned Additional Public Prosecutor draws our attention to the seizure list. The recovery of contraband items was made from this petitioner and other accused persons.
3. In view of commercial quantity of contraband items being involved and also keeping in mind the restrictions in Section 37 of the NDPS Act, 1985, we are not inclined to entertain the petitioner's prayer for bail. Hence, the prayer for bail is rejected.
4. The application being CRM (NDPS) 1367 of 2024 is accordingly dismissed.

5. Further, we find from report filed by the State in connection with CRM (NDPS) 1250 of 2024 that on the last few occasions, defence counsel obtained adjournments. However, considering that the petitioner is in custody for quite some time, we direct the learned Trial Court to expedite the trial to the fullest and conclude the same at an early date and positively within one year from the date of communication of this order by the parties as well as the learned Registrar General of this Court to the learned Trial Court, if necessary, by preponing the next date fixed for recording of evidence.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)