

04.09.2024
Item no. 70.
Court No.28.
AB
(Rejected)

CRM (NDPS) 1363 of 2024

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Maidan P.S. Case No. 76 of 2022 dated 12.8.2022 under Section 21B(ii)C/29 of the NDPS Act

And

In the matter of : Ismail Sekh & Anr.

.....Petitioners.

Mr. Shatarup Purokayastha
Mr. Hamidur Rahaman
Mr. Jagriti Bhattacharyafor the Petitioners.

Mr. Imran Ali
Mr. Samarjit Balialfor the State.

Dictated by Prasenjit Biswas, J.

1. It is submitted that the petitioners are in custody for over two years and about 62 kilograms of ganja were recovered from the possession of these accused petitioners. They pray for bail on the ground of their prolonged detention.
2. It is submitted by the learned Counsel for the State that one out of eight witnesses named in the charge sheet has already been examined.
3. Although we are conscious of the fact that the petitioners are in custody for a long period of time, but as per embargo provided under Section 37 of the NDPS Act, we are not inclined to allow the petitioners' prayer for bail.

4. The prayer for bail is, accordingly, rejected.
5. CRM (NDPS) 1363 of 2024 is dismissed.
6. Learned Trial Court is directed to conclude the trial within six months from the next date fixed for recording of evidence.
7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Prasenjit Biswas, J.)