

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (NDPS) 1387 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, in connection with Ghola P.S. Case No. 428/2014 dated 27.09.2014 under Sections 20(b)(ii)(c)/29 of NDPS Act, 1985.

And

In the matter of: - **Bipul Ghosh**

Mr. Subhajit Chowdhury

Mr. Binoy Kumar Panda

Mr. Debarshi Brahma

...petitioner.

...for the petitioner.

...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he was granted bail by a Coordinate Bench on December 4, 2014 in CRM 16318 of 2014. However, allegedly because he jumped conditions of bail, he was arrested and now he is in custody for over seven months. Charge has not been framed.
2. Learned advocate for the State points out that the petitioner was absconding for about eight years, before he could be re-arrested. There is every possibility of the petitioner again absconding, if enlarged on bail. There is sufficient incriminating evidence against the petitioner.
3. In view of the aforesaid conduct of the petitioner, we are not inclined to allow the prayer for bail. We also have in mind that commercial quantity of ganja is involved in this case.

4. The State advocate says that some of the accused persons are still absconding. Be that as it may, that fact cannot justify the indefinite custodial detention of the petitioner without carrying the trial to its logical end. We direct the learned trial court to consider the possibility of splitting up the trial and proceeding with the trial as against the petitioner as soon as possible in accordance with law. Insofar as this petitioner is concerned, it is desirable that the trial against him is concluded within a year from the date of the communication of this order by the parties to the learned trial court.
5. The prayer for bail is **rejected** at this stage.
6. **CRM (NDPS) 1387 of 2024** is **dismissed**.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)