

17.09.2024
Item no. 53.
Court No.28.
AB
(Rejected)

CRM (NDPS) 1407 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 Jiaganj P. S. Case No.71 of 2023 dated 17.3.2023 under Section 20C/29 of the NDPS Act

And

In the matter of : Rahim Sk. & Anr.

.....Petitioners.

Mr. Tapodip Guptafor the Petitioners.

Ms. Sayanti Santra
Ms. Rajashree Tahfor the State.

Dictated by Arijit Banerjee, J.

1. The petitioners renew their prayer for bail which was rejected earlier on September 20, 2023, by a Coordinate Bench. The petitioners say that they are in custody for one year six months. On the ground of delay they renew their prayer for bail.
2. Opposing the prayer for bail, learned State Counsel points out that 7 out of 13 charge sheet named witnesses have already been examined. Commercial quantity of ganja was recovered from the possession of the petitioners. There is sufficient incriminating evidence against them.

3. In view of the prima facie involvement of the petitioners in the alleged offence, we are not inclined to allow their prayer for bail.
4. The prayer for bail stands rejected.
5. CRM (NDPS) 1407 of 2024 is dismissed.
6. However, considering that the petitioners have been in custody for more than one and half years, we direct the learned Trial Court to expedite the trial to the fullest extent possible and conclude the same as early as possible but positively within six months from the next date fixed for recording of evidence without granting unnecessary adjournments to either of the parties.
7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)