

CRM (NDPS) 1424 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

- A n d -

In the matter of : Suresh Mondal

.... Petitioner.

Mr. Gouranga Das

Ms. Jayita Dhar Chakraborty,

... For the Petitioner.

Mr. Koushik Kundu,

Ms. Purnima Ghosh,

... For the State.

Order dictated by Arijit Banerjee, J.

1. The petitioner says that he is in custody for 500 days. He has been falsely implicated. He complains of delay in progress of trial. He prays for bail.
2. Learned State advocate points out that 2 out of 7 charge sheet named witnesses have already been examined. It is expected that the trial will conclude on an early date. There is sufficient incriminating evidence against this petitioner from whose exclusive possession 197 of phensedyl syrup containing codeine mixture was recovered. Next schedule is fixed on 5-7th November, 2024.
3. From the above, we see that there is, prima facie, sufficient evidence against the petitioner. Commercial quantity of phensedyl being involved, keeping in mind the restriction in

Section 37 of the N.D.P.S. Act, we are not inclined to entertain the petitioner's prayer for bail.

4. CRM (NDPS) 1424 of 2024 is dismissed.
5. However, considering that the petitioner is in custody for about 500 days, we direct that the learned trial Court to conclude the trial at an early date and definitely within six months from the next date fixed.
6. Let this order be communicated by the parties to the learned Trial Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)