

CRM (NDPS) 1457 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the BNSS in connection with **NCB Crime** Case No. **18/NCB/KOL/2023** under Section **8(c)/20(b)(ii)(c)/29** of the NDPS Act.

- A n d -

In the matter of : Ersad Khan

.... Petitioner.

Mr. Sandip Dinda,

... For the Petitioner.

Mr. Gouranga Das,

Mr. Pralay Bhattacharyya,

... For the NCB.

Order dictated by Arijit Banerjee, J.:

1. The petitioner says that he is in custody for more than one year four months. Charge sheet was submitted on November 16, 2023. Charge is yet to be framed. He prays for bail.
2. Learned Advocate for NCB while opposing the prayer tells us that 64 kgs of ganja was seized from the vehicle which was being driven by the petitioner. One of the accused persons is absconding. Therefore, charge has not been framed.
3. Taking note of the fact that commercial quantity of contraband item is involved, we are not inclined to enlarge the petitioner of bail, at this stage.
4. CRM (NDPS) 1457 of 2024 is, thus, dismissed.
5. However, since the petitioner is in custody for quite some time, we direct the learned Trial Court to take steps, if necessary, for splitting up the trial in accordance with law and proceed with the accused persons in custody with expedition so that the trial is concluded on an early date but positively within a year from the

date of communication of this order by the parties and the Registry of this Court to the learned Trial Court.

6. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)