

08.
Court
No.28

20.09.2024

(Tanmoy)

Rejected

CRM (NDPS) 1493 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with Kaliachak P.S. Case No. 714/2022, dated 04.07.2022.

And
In the matter of: - **Md Kaunain Reja**

Mr. Arup Kumar Bhowmick

Mr. Arnab Chatterjee

Ms. Sima Biswas

...petitioner.

...for the petitioner.

...for the State.

1. Learned lawyer for the petitioner contends petitioner is in custody for more than two years. He submits petitioner is suffering from knee pain. He prays for bail.
2. Learned lawyer for the State submits bail prayer of the petitioner was rejected in June, 2024. Direction was given to conclude the trial within eight months from the next date fixed for recording of evidence.
3. We have considered the materials on record. 309 grams of brown sugar, which is a contraband item, was recovered from the petitioner. On this score his bail prayer was rejected on merits on June 19, 2024, in CRM (NDPS) 909 of 2024. Direction was given to conclude the trial within eight months from the next date fixed for recording of evidence. The timeline has not been expired.
4. Under such circumstances, we are not inclined to grant bail to the petitioner either on merits or on the ground of delay.

5. With regard to the plea that petitioner is suffering from knee pain, we direct the Malda District Correctional Home to render necessary medical assistance to the petitioner.
6. Accordingly, the bail prayer is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)