

24. 05.12.2024
Court
No.29 (Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (NDPS) 1564 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 Airport PS Case No. 444/2021 dated 29.11.2021.

And

In the matter of: - **Jaber Ali Shaikh**

...petitioner.

Mr. Mrityunjoy Chatterjee
Mr. Arnab Chatterjee
Ms. Poulami Bose

...for the petitioner.

Mr. Antarikhya Basu
Mr. Dipankar Paramanick

...for the State.

Dictated by Arijit Banerjee, J.

1. Status report filed in Court today be kept with the records.

Learned Advocate for the State says that six more witnesses will be examined by the prosecution. The trial will conclude within six months.
2. Learned Advocate for the petitioner says that the petitioner is already in custody for two years and 11 months. The progress in the trial is wholly inadequate.
3. We have seen the depositions of the witnesses examined so far. *Prima facie* there are incriminating material against the petitioner from whom more than one kilogram of heroin was allegedly recovered. In view of such material and keeping in mind the debilitating effect that the drug trade has on the

society as a whole, and the country's economy also, we are not inclined to allow the petitioner's prayer for bail, at this stage. The bail prayer is rejected.

4. The application being CRM (NDPS) 1564 of 2024 is accordingly dismissed.
5. However, since the State says that the trial would be concluded within six months, keeping in mind the long detention of the petitioner, we grant liberty to the petitioner to renew his prayer for bail after six months in the event the trial does not conclude by then. Needless to say, both the parties will co-operate fully with the learned Trial Court and no unnecessary adjournment shall be granted by the learned Trial Court to either of the parties.
6. Parties to communicate this order to the learned Trial Court immediately.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)