

30. 02.12.2024
Court
No.29 (Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (NDPS) 1597 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 Manikchak P.S. Case No. 01/2024 dated 01.01.2024.

And

In the matter of: - **Promodh Kr. Singh @ Promodh Kumar Singh @ Promodh Kumar Sinsh @ Promodh**

...petitioner.

Mr. Sourav Chatterjee, Sr. Adv.
Mr. Aditya Tiwari

...for the petitioner.

Ms. Sreyashee Biswas
Ms. Nahid Ahmed

...for the State.

Dictated by Apurba Sinha Ray, J.

1. Learned Counsel for the petitioner submits that the petitioner has been falsely implicated in this case. He was allegedly carrying commercial quantity of *ganja* weighing about 20 Kgs. and 100 Grams. However, charge-sheet has been submitted and there are serious irregularities in the seizure list. The driver of the concerned vehicle was shown as a witness to the seizure list though the relevant attaché does not belong to him. It was shown that the petitioner was carrying the contraband articles in the said attaché. However, as the investigation is complete and there is no chance of an early conclusion of the trial, he may be enlarged on bail on any condition that this Court may direct.
2. Learned Counsel for the State opposes the prayer for bail stating that there are sufficient incriminating materials against the present petitioner. The driver was not involved in

the commission of the crime as he allowed the present petitioner to be a passenger along with another co-accused person in the said vehicle. On such ground the petitioner's prayer for bail should be rejected.

3. We have considered the materials on record and all the anomalies as referred to by learned Counsel for the petitioner can be thrashed out at the time of trial. However, there are sufficient *prima facie* incriminating materials showing that contraband articles were recovered from the possession of the present petitioner.
4. In view of the above, we are not inclined to allow the petitioner's prayer for bail. Hence the prayer for bail is rejected.
5. The application being CRM (NDPS) 1597 of 2024 is accordingly dismissed.
6. However, we direct the learned Trial Court to expedite the trial to the maximum extent possible and conclude the same on an early date keeping in mind that the petitioner is in custody for quite some time.
7. Both the parties will immediately communicate this order to the learned Trial Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)