

46.
02-12-2024
(ct. no.29)
debajyoti
(rejected)

CRM (NDPS) 1647 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Swarupnagar Police Station Case No.15 of 2024 dated 14-01-2024 under Sections 379/411/413/414 of the Indian Penal Code and under Section 21(c) of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Ripon Molla

.... Petitioner.

Ms. Chandrima Debnath

... For the Petitioner.

Ms. Faria Hossain, learned APP,
Ms. Mausumi Sarkar

... For the State.

Dictated by Apurba Sinha Ray, J.

1. Learned advocate for the petitioner submits that the petitioner is in custody for about ten months. Investigation is complete. As such, he may be enlarged on bail on any condition.

2. Learned advocate for the State opposes the prayer for bail. According to her, the charge was framed on September 18, 2024 and the next schedules are fixed on December 13, 2024 and December 16, 2024. As such, the petitioner cannot take the plea of inordinate delay in trial from the side of the prosecution. According to her, there are ten charge sheet named witnesses and the trial would be completed within a very short span of time.

3. In view of the material on record including the seizure list and also the fact that there is no plea of causing

delay from the side of the prosecution, we find that the petitioner has not been able to override the restriction in Section 37 of the NDPS Act.

4. In that view of the matter, we are not inclined to grant bail to the petitioner, at this stage. The application for bail is, thus, **dismissed**. However, considering the period of detention, we request the learned trial Court to expedite the trial of the case as much as it can.

5. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

6. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)