

45.
Court
No.29

16.12.2024

(Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (NDPS) 1709 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.

And

In the matter of: - **Gobinda Mondal**

Mr. Md. Younush Mondal
Mr. Jamal Uddin

...petitioner.

Mr. Antarikhya Basu
Ms. Parvej Anam

...for the petitioner.

...for the State.

Dictated by Arijit Banerjee, J.

1. 2.5 Kgs. of morphine was allegedly recovered from the petitioner. He says that he is in custody for 564 days. There is inadequate progress in trial. He prays for bail.
2. The State files a report. Let the same be kept with the records.

We find from the report that two prosecution witnesses have already been examined. The prosecution intends to examine eight more witnesses. The report also states that the trial should be concluded within the next eight months.
3. In view of commercial quantity of contraband items being involved and the restriction in Section 37 of Narcotic Drugs and Psychotropic Substances Act, 1985, we are not inclined to allow the petitioner’s prayer for bail, at this stage. Hence the prayer for bail is rejected.

4. The application being CRM (NDPS) 1709 of 2024 is accordingly dismissed.
5. However, noting that the petitioner is in custody for quite a long period of time, we request the learned Trial Court to expedite the trial and conclude the same in the light of the statements made on behalf of the State before us today.
6. Both the parties will immediately communicate this order to the learned Trial Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)