

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

12.03.2024
Court No.1
(D/L 06)
(AK)

CRM (NDPS) 40 OF 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Jaigaon Police Station Case No.250 of 2022 dated 18.10.2022 under Section 22(C) of N.D.P.S. Act, 1985.

And

In the matter of: **Sanjay Chhetri**

... Petitioner.

Mr. Arko Sarkar

...for the petitioner.

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Sourav Ganguly

...for the State.

1. The petitioner has not been able to show any significant subsequent event after the last rejection of bail on 21st September, 2023 save and except that the petitioner has been incarcerated for over 500 days.
2. We do not have any significant intervening facts to overlook the quantity of alleged contraband substance recovered from the petitioner. The question whether the store-room belongs to the petitioner or to a third party is a matter of trial.
3. We are, however, concerned that despite the charge sheet being submitted on 16th February, 2023, charges were

scheduled to be framed after one year on 6th February, 2024 and is now fixed on 8th April, 2024.

4. We hence direct the Learned Additional Session Judge, 1st Court to expedite the trial and make an effort to conclude the same within a period of ten months from today.
5. The petitioner will be at liberty to approach the court for appropriate orders if there is further delay in the conduct of the trial.
6. We are hence not inclined to allow the prayer for bail.
7. CRM (NDPS) 40 of 2024 is accordingly rejected in terms of the above.

(PRASENJIT BISWAS, J.)

(MOUSHUMI BHATTACHARYA, J.)