

22.04.2024
Court No.01
Item No. 04

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

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CRM (NDPS) 77 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Matigara Police Station Case No. 1071 of 2021 dated 21.09.2021 under Sections 21(c) of the NDPS Act.

And

In Re: **Bapi Singha & Anr.**

Petitioners

Mr. Biswarup Roy
Mr. Sisir Kumar Roy

For the petitioner

Mr. Joyjit Choudhury, Ld. AAG
Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Subhasish Misra

For the State

Heard the learned advocates for the respective parties.

It is argued on behalf of the petitioner that considering the period of detention and also considering the discrepancy in the report as submitted by the State authority with regard to the contraband articles, the instant application for bail may be considered favourably.

Such prayer has been opposed on behalf of the learned advocate for the State.

On perusal of the entire material placed before this Court including the report as submitted on behalf of the State as has been placed on record on the last occasion, it appears commercial quantity of contraband articles were seized from the conscious possession of the present two petitioners.

It reveals further that two Coordinate Benches of this Court vide their orders dated 04.10.2023 and 01.03.2023 turned down similar prayers.

In view of such and in absence of any supervening circumstances, we are not inclined to grant bail to the petitioners.

In such circumstances, application for bail of the petitioner is rejected. CRM (NDPS) 77 of 2024 is accordingly, disposed of.

We, however, request the learned Trial Judge to expedite the trial and to conclude the same within a period of one year from date.

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

(Soumen Sen, J)

(Partha Sarathi Sen, J)