

25.04.2024
Court No.01
Item No. 48
rejected
KC

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

CRM (NDPS) 118 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Pradhannagar** Police Station Case No. **726** of **2018** dated **21.12.2018** under Section 20(b)(ii)(c) of the NDPS Act.

And

In Re: **Sahin Molla & Anr.**

Petitioners

Mr. Sudip Guha
Mr. Sandip Guha Roy
Mr. Ananda Paul

For the petitioners

Mr. Ujjwal Luksom
Mr. Subhasis Mishra

For the State

1. The status report filed today on behalf of the learned advocate for the State is taken on record.
2. It is submitted that the present accused petitioners were enlarged on statutory bail and on account of their non-appearance, warrant of arrest was issued and the petitioners were arrested.
3. While opposing the prayer for bail, learned counsel for the State submits before this Court that commercial quantity of contraband was recovered from the possession of the present accused petitioners. From the status report, as submitted, states that on 18th June, 2024 is the date fixed for evidence as well as production of accused persons.
4. In the above stated facts and circumstances of the case and in view of the statutory restriction under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

5. In such circumstances, application for bail of the petitioner is rejected.
6. We make it clear that the Trial Court shall ensure appearance of all the witnesses and production of the alamsats on each date of successive hearing, failing which, the learned Trial Court will be at liberty to take appropriate coercive action against the prosecution witnesses as well as the police personnel.
7. **CRM (NDPS) 118 of 2024** is accordingly, disposed of.
8. Learned Trial Court is hereby requested to expedite the trial and shall make an attempt to conclude the trial as expeditiously as possible and preferably within a year from the date fixed.
9. 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)