

03.05.2024
SL No.11
Court No.1
(gc)
(rejected)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

CRM (NDPS) 202 of 2024

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Alipurduar Police Station Case No.120 of 2021 dated 22.04.2021 under Sections 20(B)(ii)(c)/25/29 of the NDPS Act, 1985.

And

In the matter of : **Vijay Ganesh Dabhade @ Bijay Ganesh Dabhade**

- Petitioner.

Mr. Jaydeep Kanta Bhowmik,
Mr. Sayantan Bhowmik,
Mr. Shubham Kumar,
Ms. Rikta Sarkar,
Ms. Sayantani Das

....For the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Ujjwal Luksom,
Mr. Subhasish Misra

...For the State.

1. Heard the learned Counsel for the parties.
2. In absence of any supervening circumstances, we are not inclined to exercise our discretion under Section 439 Cr.P.C. in favour of the petitioner.
3. Accordingly, the prayer for bail is rejected.
4. Before parting with, we need to place on record that since 05.07.2024 is the date fixed for production of the evidence of CSW-1, we request the learned Trial Court to expedite the trial and to come to a logical conclusion of the same preferably within a year from the date of communication of this order by invoking Section 309 of the Cr.P.C. It is

further directed that the learned Trial Court shall ensure the production of all the alamats and appearance of the prosecution witnesses on each date of substantive hearing, failing which, the learned Trial Court shall be at liberty to enforce its order in accordance with law.

5. 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.)