

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

05.03.2024
Court No.1
(D/L 02)
(AK)

CRM (NDPS) 842 OF 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Alipurduar Police Station Case No.120 of 2021 dated 22.04.2021 under Sections 20(b)(ii)(c)/25/29 of N.D.P.S. Act, 1985.

And

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

... Petitioner.

Mr. Jaydeep Kanta Bhowmik
Mr. Sayantan Bhowmik
Mr. Shubham Kumar
Ms. Rikta Sarkar

...for the petitioner.

Mr. Kallol Acharjee
Mr. Kallol Nag

... for the State.

1. The primary reason given for the petitioner's prayer for bail is that the petitioner has been in custody for a long period of time and that charges has not been framed till date.
2. The records produce before us by learned counsel appearing for the petitioner as well as for the State, however, shows that charges have already been framed and 14th March, 2024 has been fixed for evidence.
3. We are hence not inclined to allow the prayer for bail.

4. Needless to say, the petitioner shall be at liberty to pray for appropriate orders if there is continuing delay in the trial.
5. CRM (NDPS) 842 of 2023 is accordingly rejected in terms of the above.

(PRASENJIT BISWAS, J.)

(MOUSHUMI BHATTACHARYA, J.)