

CRM (NDPS) 129 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Special Task Force (STF) Police Station Case No.29 of 2022 dated 15-09-2022 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Rabi Roy @ Pocha

.... Petitioner.

Mr. Ayan Bhattacharya, Sr. Adv.,
Mr. Kunal Ganguly

... For the Petitioner.

Mr. Koushik Kundu,
Mr. Ratul Ghosh

... For the State.

Dictated by Arijit Banerjee, J.

1. Status report filed by the State is taken on record.
2. The petitioner renews his prayer for bail which was rejected twice earlier, lastly on October 18, 2024 in CRM (NDPS) 1674 of 2024. The petitioner says that he is in custody for about two years five months. Only 3 out of 6 charge sheet named witnesses have been examined. Although there are 7 charge sheet named witnesses, the State proposes to examine 6 witnesses. On the ground of delay in progress of trial, the petitioner renews his prayer for bail.
3. Learned State advocate says that in the order dated October 18, 2024, where the petitioner's bail prayer was rejected by a coordinate Bench, a time frame was given within which the trial was directed to be concluded. The time frame

is October 30, 2025, which has wrongly gone down as October 30, 2024. This error is obvious since the order is of October 18, 2024 and it was surely not the intention of the Court that within 12 days the trial should be concluded.

4. Learned Senior Advocate for the petitioner, in his usual fairness, does not make any submission on this point and only says that what is there in the records is there.

5. We see that commercial quantity of Heroine is involved. In view of the restrictions in Section 37 of the NDPS Act, we are not inclined to entertain the petitioner's prayer for bail, at this stage. We further note that the time to conclude the trial has been granted by a coordinate Bench till October 30, 2025. It also cannot be said that the trial is stagnant. The prosecution is examining its fourth witness.

6. The application for bail is, thus, **dismissed**.

7. However, considering the period of detention of the petitioner, we direct the learned trial Court to expedite the trial to the fullest extent possible and conclude the same on an early date which may be before October 30, 2025, without granting unnecessary adjournments to either of the parties and if necessary, by fixing frequent schedules for examination of witnesses.

8. We further clarify that if the trial is not concluded within the time period granted by the coordinate Bench, the petitioner will be at liberty to renew his prayer for bail.

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

10. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)