

26.03.2025
Item no. 29.
Court No.29.
AB
(Rejected)

CRM (NDPS) 258 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Special Case No.07 of 2023 under Section 20(b)(ii)(c)/25/29 of the NDPS Act

And

In the matter of : Bandhan Mondal

.....Petitioner.

Mr. Joy Chakraborty,
Mr. Sandip Dindafor the Petitioner.

Mr. Kalyan Chakraborty
Mr. Rishab Kr. Thakurfor the UOI.

Dictated by Arijit Banerjee, J.

1. Status report filed on behalf of the Union of India, be kept with the records.
2. From the report we find that there is inadequate progress in the trial. Only 1 witness has been examined out of 7 charge sheet named witnesses. We are conscious of a citizen's fundamental right to personal liberty and speedy trial. However, the same, in certain circumstances, must be weighed against other factors like the gravity of an offence with which he has been charged, the quantity and quality of evidence and incriminating material on record, the maximum punishment that the petitioner may suffer in case of conviction etc.
3. In the present case, we find that 162 kilograms of ganja was recovered from a vehicle of which the petitioner is the registered owner. The petitioner says that he was

not in the vehicle when the seizure was made and he was not aware that his vehicle was being used for illegal purposes. He will be at liberty to impress upon learned Trial Court such arguments. Presently, prima facie we find that the petitioner is involved in the alleged offence. If convicted, the petitioner will have to suffer minimum of ten years' imprisonment, which may extend upto 20 years. We also find from records that there are call detail records indicating exchange of calls between the petitioner and other accused persons.

4. In view of the aforesaid, we are not inclined to allow the petitioner's prayer for bail, at this stage.
5. The prayer for bail is rejected.
6. CRM (NDPS) 258 of 2025 is dismissed.
7. 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, without granting unnecessary adjournment to either of the parties, if necessary, by fixing frequent schedules of 2/3 days each for examination of witnesses.
8. Parties to communicate this order to the learned Trial Court.
9. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)

