

21.01.2025
Item no. 27.
Court No.29.
AB

CRM (NDPS) 1870 of 2024

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 Jalangi P.S. Case No.276 of 2022 Dated 1.9.2022 under Sections 20(b)(ii)(c)/29 of the NDPS Act

And

In the matter of : Rubel Mondal

.....Petitioner.

Mr. Tapodip Gupta,
Mr. Suman Bhanjafor the Petitioner.

Mr. Saryati Dutta,
Ms. Srilekha Chatterjeefor the State.

Dictated by Arijit Banerjee, J.

1. It appears that the petitioner had approached the Hon'ble Supreme Court of India praying for bail. By an order dated April 3, 2024, passed in Special Leave Petition (Criminal) Diary No.10314 of 2024, the Hon'ble Supreme Court, while rejecting the bail prayer, directed the learned Trial Court to try and conclude the trial within six months. The petitioner was granted liberty to revive his prayer for bail before the learned Trial Court in case the trial was not concluded within six months.

2. Learned Advocate for the petitioner says that the petitioner renewed his prayer for bail before the learned Trial Court but before expiry of six months time period as indicated by the Hon'ble Supreme Court. The bail prayer was rejected. Hence, this application.

3. We are of the view that the petitioner should go back to the learned Trial Court. Now the six months' time period from the date of the order of the Hon'ble Supreme Court has elapsed. The liberty that was granted to the petitioner was to approach the learned Trial Court after expiry of six months if the trial is not concluded. Hence, we are not inclined to interfere. The petitioner will be at liberty to approach the learned Trial Court in terms of the leave granted by the Hon'ble Supreme Court.

4. CRM (NDPS) 1870 of 2024 is, accordingly, dismissed.

5. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)