

40.
13-01-2025
(ct. no.29)
debajyoti
(rejected)

CRM (NDPS) 1885 of 2024

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 NCB Crime No.09/NCB/KOL/2023 dated 12-02-2023 under Sections 8(C)/20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Sunil Paswan

.... Petitioner.

Mr. Sk Toslim Ali

... For the Petitioner.

Mr. Kallol Mondal, Sr. Adv.,
Mr. Krishan Ray,
Mr. R. R. Mohanty

... For NCB.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he has been falsely implicated. He has no connection with the alleged contraband item. He is in custody for about two years. Only one out of eight charge sheet named witness has been examined till date. There is no possibility of early conclusion of the trial. He prays for bail.

2. Learned advocate for Narcotic Control Bureau (NCB) tells us that about 23 kgs. of Ganja was seized from the joint possession of the accused persons including this petitioner. There is no laches or delay on the part of the prosecution. Charge was framed on October 17, 2023. After that, on certain dates the matter had to be adjourned not for any fault

on the part of the prosecution. The petitioner hails from Bihar. If granted bail, it is highly likely that he will abscond.

3. We have considered the material on record. Commercial quantity of Ganja is involved. Keeping in mind the restrictions in Section 37 of the NDPS Act, we are not inclined to entertain the petitioner's prayer for bail, at this stage.

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

5. However, we put on record the submission made on behalf of NCB that there are only eight witnesses and the trial can be concluded within six months. We direct the Sessions Judge, Howrah, to take appropriate steps so that the trial can be concluded, if possible, within the time period indicated by NCB, as recorded above.

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

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

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)