

CRM (NDPS) 1909 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

- A n d -

In the matter of : Yeanur Molla @ Apu. Petitioner.

Mr. A. Chakraborty,
Mr. S.S. Saha, ... For the Petitioner.

Mr. Joydeep Roy,
Mr. Sujoy Sarkar, ... For the State.

Order dictated by Arijit Banerjee, J.

1. Status report filed by the State, be kept with the records.
2. This is a case of 2011. The petitioner was initially arrested in February 2011. In March 2014, he was granted bail by this Court, on certain conditions. Thereafter, the petitioner absconded from 2015. On February 15, 2020, warrant of arrest was issued. Only in March 2024, the petitioner could be arrested. He says that he is in custody for 10 months. Although charge was framed in 2014, no witness has been examined so far. On the ground of long detention coupled with no progress in the trial, he prays for bail.
3. We are conscious that intermediate quantity of contraband items is involved in this case and the restrictions in Section 37 of the NDPS Act do not operate. However, the conduct of the petitioner, according to us, disentitles him to the liberty of bail. He absconded for 9 long years. If granted bail, it is highly likely that he will disappear again.
4. Accordingly, we are not inclined to entertain the present application for bail, at this stage.

5. CRM (NDPS) 1909 of 2024 is dismissed.
6. However, considering that the petitioner is in custody for about 10 months and the trial has not progressed at all, we direct the learned Trial court to make all possible efforts to expedite the trial and conclude the trial on an early date, without granting unnecessary adjournments to either of the parties and, if necessary, by fixing frequent schedules.
7. Let this order be communicated by the parties to the learned Court below.
8. 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.)