

CRM (NDPS) 1910 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 : Ananda Baral. Petitioner.

Mr. Tapodip Gupta, ... For the Petitioner.

Mr. R. Roy Choudhury,
Mr. Subham Bhakat, ... For the State.

Order dictated by Arijit Banerjee, J.

1. Status report filed by the State, be kept with the records.
2. The petitioner says that he is in custody for almost 2 years and 5 months. Not a single prosecution witness has been examined. While rejecting his bail prayer on June 25, 2024, this Bench had directed the learned Trial Court to conclude the trial on an early date and preferably within a year from the next date fixed for recording of evidence. The petitioner says that subsequent to that order, not a single witness has been examined.
3. We find that five thousand bottles of Phensedyl Syrup containing codeine phosphate was recovered from the possession of this petitioner being the sole accused person. In view of such huge quantity of contraband being 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.
4. CRM (NDPS) 1910 of 2024 is dismissed.
5. We also see that the one year period granted for conclusion of the prosecution in June 2024, has not yet expired. In the status report, the prosecution says that out of 11 chargesheet named

witnesses, 8 witnesses will be examined and the trial will be concluded within six months.

6. Noting such stand of the State, we dismiss this application, at this stage, reserving liberty to the petitioner to renew his prayer after expiry of six months.

7. 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.)