

37. 10.02.2025
Court
No.29 (Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (NDPS) 1911 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 arising out of Kaliachak P.S. Case No.1212/2023 dated 09.9.2023.

And

In the matter of: - JENARUL HOQUE @ JANARUL HAQUE

...petitioner.

Mr. Sagar Saha
Mr. Sourav Mondal
Ms. Nayana Mukhopadhyay

...for the petitioner.

Ms. Sreyashee Biswas
Mr. Soumya Basu Roy Chowdhury

...for the State.

Dictated by Arijit Banerjee, J.

1. Status report filed by the State be kept with the records. It appears that out of 17 charge-sheet named witnesses, the prosecution proposes to examine 12 witnesses.
2. It cannot be said that there is inordinate delay in the progress of the trial. Charge-sheet was submitted in March, 2024. Charge was framed in May, 2024. Witness action has already started.
3. We see that 730 grams of heroin (much beyond commercial quantity) was seized from the joint possession of two accused persons including this petitioner.
4. In view of such huge quantity of contraband item being involved and keeping in mind the restrictions in Section 37 of

the Narcotic Drugs and Psychotropic Substances Act, 1985, we are not inclined to allow the petitioner's prayer for bail, at this stage.

5. The application being CRM (NDPS) 1911 of 2024 is accordingly dismissed.
6. However, 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 and if necessary, by fixing frequent schedules of 3/4 days each, for examination of witnesses.
7. Parties to communicate this order to the learned Trial Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)