

40.
Court
No.29

10.02.2025

(Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (NDPS) 1957 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 Kulti P.S. Case No.120/2024 dated 20.3.2024.

And

In the matter of: - MD AKIL @ MD WAKIL

Mr. Saibal Krishna Dasgupta
Ms. Sreyashee Biswas
Mr. Subham Bhakat

...petitioner.
...for the petitioner.
...for the State.

Dictated by Arijit Banerjee, J.

1. Read our order dated January 21, 2025.
2. Statement of the petitioner recorded under Section 164 of the Criminal Procedure Code, 1973, has been produced before us. Let the same be kept with the records.
3. From the seizure list we find that commercial quantity of contraband items was seized from the accused persons including this petitioner who appears to have been the driver of the auto rickshaw from which seizure was made. We also find that two out of 11 charge-sheet named witnesses have already been examined. Therefore, one cannot complain of any inordinate delay in progress of the trial.
4. In view of involvement of commercial quantity of narcotics and keeping in mind the restrictions in Section 37 of the

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

5. The application being CRM (NDPS) 1957 of 2024 is accordingly dismissed.
6. However, considering that the petitioner is in custody for about 10 months, we direct the learned Trial Court to expedite the trial to the extent possible and conclude the same on an early date.
7. Parties to communicate this order to the learned Trial Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)