

CRM (NDPS) 2024 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 Habra Police Station Case No.826 of 2023 dated 13-09-2023 under Sections 21(c)/22(c)/25/29 of the Narcotic Drugs and Psychotropic Substances Act.

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In the matter of : Sanu & Anr.

.... Petitioners.

Mr. Debasis Kar,
Mr. Husen Mustafi,
Mr. Arka Tilak Bhadra

... For the Petitioners.

Mr. Debasish Roy, learned Public Prosecutor,
Ms. Debjani Sahu

... For the State.

Dictated by Arijit Banerjee, J.

1. Status report filed by the State is taken on record.
2. The petitioners renew their prayer for bail which was rejected earlier by this Bench by an order dated October 01, 2024 passed in CRM (NDPS) 1171 of 2024. While rejecting their prayer, we had requested the learned trial Court to expedite the trial and conclude the same on an early date and preferably within eight months from the next date for recording evidence.
3. The petitioners complain that in spite of the aforesaid direction of this Court, there has not been any progress in the trial. Beyond framing of charge, nothing has been done. There is no possibility of an early conclusion of

the trial. They are in custody already for about 1 year 5 months.

4. Learned State advocate tells us that today PW1 has been examined. The next dates are tomorrow and day after tomorrow. Eight months' time was granted by this Court for conclusion of the trial while rejecting the petitioners' prayer for bail on October 01, 2024. The report filed by the State indicates that all efforts will be made to conclude the trial within the aforesaid time period. There are only nine witnesses to be examined.

5. 4900 bottles of Phensedyl syrup were seized from the joint possession of the petitioners. In view of such huge quantity of contraband items being involved and keeping in mind the restrictions in Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioners immediately.

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

7. However, in the event the trial is not concluded within the time period granted by the earlier order dated October 01, 2024, the petitioners will be liberty to renew their prayer for bail.

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

9. 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.)