

29.12.2023
tkm/ct 8
sl no. 23

C.R.M. (NDPS) 2110 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Khardah PS case no. 554 of 2021 dated 30.8.2021 under sections 21(C)/29 of the NDPS Act

And

In Re : Md. Raja @Chamia ...petitioner

Mr. Arnab Chatterjee

..... for the petitioner

Mr. Swapan Banerjee, Id PP-in-charge

Mr. Pratick Bose

..... for the State

1. Learned advocate for the petitioner submits that the petitioner is in custody for more than two years and four months and only four out of eight charge sheeted witnesses have been examined till date. Considering the period of detention he prays for grant of bail.
2. Mr. Banerjee, learned Public Prosecutor-in-charge opposes the prayer for bail. He submits that evidence has already been commenced.
3. On going through the case diary and the facts and circumstances of the case it reveals that the contraband substance of commercial quantity is involved in the instant case and four out of eight charge sheeted witnesses have been examined till date and considering the fact that the next date for evidence is fixed during the month of March 2024, we are not inclined to grant bail to the petitioner at this stage
4. Accordingly, prayer for bail is rejected.

5. Trial court is requested to conclude the trial as expeditiously as possible preferably within four months from the next date fixed for recording evidence.

(Supratim Bhattacharya, J.)

(Hiranmay Bhattacharyya, J.)