

CRM (NDPS) 1488 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **Raghunathganj Police Station** Case No. **854 of 2023** dated **15.10.2023** under Sections **21(c) /29** of the NDPS Act.

- A n d -

In the matter of : Marlyn Kholneilhing

.... Petitioner.

Mr. Tapodip Gupta,

... For the Petitioner.

Mr. Mir Anuruzzaman,

... for the State.

Dictated by Arijit Banerjee, J:-

1. Report filed by the State be kept with the records.
2. It appears from the report that although there are 17 charge sheet named witnesses, the prosecution intends to examine at the most 11 witnesses and the report states that the examination of prosecution witnesses will be concluded within six months.
3. Huge quantity of morphine was recovered from the joint possession of the four accused persons.
4. In view of the restrictions in Section 37 of the NDPS Act, we are not inclined to enlarge the petitioner on bail, at this stage.
5. CRM (NDPS) 1488 of 2024 is, thus, dismissed.
6. However, since the petitioner is already in custody for about one year two months and the State says that the examination of prosecution witnesses will be concluded within six months, the petitioner may renew his prayer after 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.)