

CRM (NDPS) 28 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **Berhampore Police Station** Case No. **1168 of 2024** dated **13.08.2024** under Sections **21(c)/25/29** of the NDPS Act.

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In the matter of : Abdul Halim @ Halim @ Abdul Halim

.... Petitioner.

Mr. Debanshu Ghorai,
Mr. Anisur Rahman,

... For the Petitioner.

Mr. Joydeep Roy,
Ms. B. Chatterjee,

... for the State.

Dictated by Arijit Banerjee, J:-

1. 18600 bottles of phensedyl syrup containing codeine phosphate were seized from seven accused persons including this petitioner. He says that he is in custody for six months. He prays for bail on medical ground. He says that he has a chronic liver decease.
2. Learned State Advocate files a report pertaining to the health status of the petitioner. Let the same be kept with the records.
3. We see that the petitioner has a chronic liver condition which he also had when he was arrested after commission of the offence. In any event, he is being administered all necessary medical treatment in Presidency Correctional Home, Kolkata.
4. We see that huge quantity of contraband items was seized from the accused persons including this petitioner. Section 37 of the NDPS Act stares at our face. It cannot also be said that there is

delay in trial since charge sheet was filed within the statutory period on February 6, 2025, i.e., only about a week ago.

5. In view of the aforesaid, we are not inclined to enlarge the petitioner on bail, at this stage.

6. CRM (NDPS) 28 of 2025 is, thus, dismissed.

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.)