

32. 13.02.2025
Court
No.29 (Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
CRM (NDPS) 36 of 2025

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of: - **SAMIRUL SK @ SAMIR**

...petitioner.

Mr. Arnab Chatterjee
Ms. Dhanasree Biswas

...for the petitioner.

Mr. Rana Mukherjee, APP
Mr. Shashanka Shekhar Saha

...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he is in custody for about one year. He has been falsely implicated in the matter. He prays for bail.
2. Learned State Advocate tells us that the trial is in progress. Three out of 11 charge-sheet named witnesses have already been examined. The prosecution will now examine six more witnesses. Commercial quantity of heroin was seized from the petitioner.
3. We see that the trial is in progress and one cannot complain of delay in trial. Commercial quantity of heroin, which is a contraband item, being involved, we are not inclined to allow the petitioner's prayer for bail in view of the restrictions in Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985. Hence, the prayer for bail is rejected.
4. The application being CRM (NDPS) 36 of 2025 is accordingly dismissed.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)