

03.03.2025
Item no. 14.
Court No.29.
AB
(Rejected)

CRM (NDPS) 53 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Baishnabnagar P.S. Case No.855 of 2022 Dated 27.09.2022 under Section 21C of the NDPS Act

And

In the matter of : Sayed Sk. @ Javed Petitioner.

Mr. Amitava Karmakar
Mr. A. K. Bhowmik for the Petitioner.

Mr. Joydeep Roy,
Mr. Saptarshi Chakraborty for the State.

Dictated by Arijit Banerjee, J.

1. Pursuant to our direction, the Officer in charge of the concerned police station is personally present in Court. His personal appearance is dispensed with.
2. Status Report filed by the State, be kept with the records.
3. From the report, we find that six out of twelve charge sheet named witnesses have already been examined. It is mentioned in the report that within six months, the trial of the case will conclude.
4. 433 bottles of phensedyl syrup containing codeine phosphate was recovered from this petitioner, who is the sole accused in this case. If convicted, the petitioner will have to serve a minimum 20 years' sentence.
5. 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 allow the petitioner's prayer for bail, at this stage.

6. The prayer for bail is rejected.
7. CRM (NDPS) 53 of 2025 is dismissed.
8. However, considering the period of detention of the petitioner, we direct the learned Trial Court to expedite the trial to the fullest extent possible and conclude the same on an early date, particularly keeping in mind the statement made in the status report filed by the State today that the trial can be concluded within six months.
9. We further clarify that if the trial is not concluded within a reasonable period of time, the petitioner will be at liberty to renew his prayer for bail.
10. The parties shall communicate this order to the learned Trial Court.
11. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)