

1.
17-02-2025
(ct. no.29)
debajyoti
(rejected)

CRM (NDPS) 64 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Habra Police Station Case No.826 of 2023 dated 13-09-2023 under Sections 21(C)/22(c)/25/29 of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Dheeraj Biswakarma @ Dhiraj Biswakarma
.... Petitioner.

Mr. Angshuman Chakraborty,
Mr. Shashankha Shekhar Saha
... For the Petitioner.

Mr. Madhusudan Sur, learned APP,
Mr. Raju Mondal
... For the State.

Dictated by Arijit Banerjee, J.

1. Supplementary affidavit filed on behalf of the petitioner is taken on record. Report filed by the State is also kept with the records.

2. We find that all the rituals pertaining to the death of the petitioner's father have already been performed. Therefore, on that ground, the question of releasing the petitioner does not arise.

3. The petitioner says that even on merits, he is entitled to be released on bail. He is in custody for 1 year 5 months.

4. We see that 4900 bottles of Phensedyl syrup were recovered from this petitioner and other accused persons. The petitioner's bail prayer was rejected by us on October 01, 2024 in CRM (NDPS) 1201 of 2024. While rejecting the said prayer, we had requested the learned trial Court to expedite

the trial and conclude the same on an early date and preferably within eight months from the next date for recording evidence.

5. Learned State advocate tells us that the next date fixed was December 17, 2024. Therefore, time to conclude the trial is there till August, 2025.

6. In view of huge quantity of contraband item being seized from the accused persons including this petitioner, keeping in mind the restrictions in Section 37 of the NDPS Act, we are not inclined to release the petitioner on bail, at this stage.

7. The application for bail is, thus, **dismissed**.

8. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

9. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)