

03.03.2025
Item no. 16.
Court No.29.
AB
(Rejected)

CRM (NDPS) 70 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 NDPS Case No.02 of 2022 under Section 21C/23C/25/29 of the NDPS Act

And

In the matter of : Ram Dass

.....Petitioner.

Ms. Mithu Das,
Ms. Debjani Mukherjee for the Petitioner.

Mr. Uday Sankar Bhattacharya
Ms. Aishwarya Rajyashree for the Customs.

Dictated by Arijit Banerjee, J.

1. Status Report filed by the Customs Authority, be kept with the records.
2. From the report we find that 2 out of 8 charge sheet named witnesses have been examined. The trial is proceeding and it cannot be said that there is stagnancy in the trial.
3. More than 14000 bottles of phensedyl syrup containing codeine phosphate was seized from the vehicle which was being driven by the petitioner.
4. In view of such huge quantity of narcotics being involved, in spite of the petitioner being in custody for quite some time, noticing that the trial is progressing 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.

5. The prayer for bail is rejected.
6. CRM (NDPS) 70 of 2025 is dismissed.
7. However, noting the prolonged detention of the petitioner, we direct the learned Trial Court to spare no effort to expedite the trial and conclude the same on an early date, without granting unnecessary adjournment to either of the parties.
8. 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.
9. The parties shall communicate this order to the learned Trial Court.
10. 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.)

