

35. 26.02.2025
Court
No.29 (Pritam)
(Rejected)

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (NDPS) 133 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, arising out of **Jalangi** Police Station Case No.**815/2014** dated **13.09.2014** under Section **21(C)** of the Narcotic Drugs & Psychotropic Substances Act, 1985.

And

In the matter of: - **Saharul Biswas.**

...petitioner.

Mr. Arnab Chatterjee,
Ms. Poulami Bose

...for the petitioner.

Mr. Saryati Dutta,
Ms. Nahid Ahmed

...for the State.

Dictated by Apurba Sinha Ray, J.

1. Report filed by the State be kept with the records.
2. Learned advocate for the petitioner submits that he has been languishing in the judicial custody for 11 (eleven) months. He had no knowledge of initiation of this case against him since he was in custody in another case in the year 2016. However, as there is no chance of an early conclusion of the trial since charge is yet to be framed, he may be enlarged on bail on any condition.
3. Learned counsel for the State opposes the prayer for bail. According to him, the present petitioner has absconded for a

long time. The other accused persons who were granted bail are also taking time at the time of framing of charge and as a result of which, charge could not be framed though the instant case is of the year 2014. If the petitioner is enlarged on bail, he may again abscond.

4. We have considered the materials on record. We have found that in spite of his rejection of anticipatory bail prayer, the present petitioner did not surrender and absconded for about two years. However, if the present petitioner is enlarged on bail, he may again abscond. The charge could not be framed due to the activity of the present petitioner and other accused persons also. In view of the above, we are not inclined to allow the petitioner's prayer for bail, at this stage.

1. The prayer for bail is, thus, **rejected**.
2. CRM (NDPS) 133 of 2025 is disposed of.
3. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.
4. 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.)