

CRM (NDPS) 144 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **Airport Police Station** Case No. **315 of 2022** dated **27.12.2022** under Sections **21(c)/25/29** of the NDPS Act.

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In the matter of : Abu Sain Tarafder & Anr.

.... Petitioners.

Mr. Debasis Kar,
Mr. Susen Mustafi,

... For the Petitioners.

Mrs. Subhasree Patel,
Mr. A. Bhattacharyya,

... for the State.

Dictated by Arijit Banerjee, J:-

1. Status report filed by the State be kept with the records.
2. The petitioners complain that they are in custody for about two years three months. The trial is yet to conclude. On the ground of delay in progress of trial, they pray for bail.
3. We find that huge (6000 bottles) quantity of phensedyl cough syrup containing codeine phosphate was seized from the accused persons including these petitioners. The prosecution intends to examine only 5 out of 11 charge sheet named witnesses. 3 witnesses have already been examined in full. It appears that the trial is likely to conclude on an early date.
4. Keeping in mind the restrictions in Section 37 of the NDPS Act, we are not inclined to enlarge the petitioners on bail, at this stage.
5. CRM (NDPS) 144 of 2025 is, thus, dismissed.
6. However, considering the period of detention of the petitioner, we direct the learned Trial Court to spare no efforts to

expedite the trial to the fullest extent possible and conclude the same on an early date, without granting unnecessary adjournments to either of the parties and if necessary by fixing frequent schedules of 2/3 days each for examination of witnesses.

7. We clarify that if the trial is not concluded within a reasonable period of time, the petitioners will be at liberty to renew their prayer for bail.

8. 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.)