

CRM (NDPS) 158 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

- A n d -

In the matter of : Ismail Sk @ Sekh. Petitioner.

Mr. Abhinanyu Banerjee,
Mr. Arnab Saha,
Ms. Priyanka Yadav, ... For the Petitioner.

Mr. Soumik Ganguly,
Ms. Purnima Ghosh, ... For the State.

Order dictated by Arijit Banerjee, J.

1. The petitioner says that there was no recovery of contraband items from him. In fact, he was not even in this State on the date of the alleged seizure. He is in custody for 10 months. Not even a single prosecution witness has been examined. He prays for bail.
2. Learned State counsel shows us from the material in the case diary that the petitioner is the owner of one of the two motorcycles from which commercial quantity of codeine mixture was recovered.
3. In view of the aforesaid and in view of the restriction in Section 37 of the NDPS Act, we are not inclined to entertain the petitioner's prayer for bail, at this stage.
4. CRM (NDPS) 158 of 2025 is dismissed.
5. However, considering that the charge was framed on September 5, 2024, and till date not a single prosecution witness has been examined and also 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 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.

6. Let this order be communicated by the parties to the learned Trial Court.

(Om Narayan Rai, J.)

(Arijit Banerjee, J.)