

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (NDPS) 193 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 **Dasnagar** Police Station Case No.**66/2022** dated **18.06.2022** under Section **21(c)** of the Narcotic Drugs & Psychotropic Substances Act, 1985.

And

In the matter of: - **Md. Abdul @ Md. Abdullah @ Md. Abul @ Md. Abullah.**

...petitioner.

Mr. Mrintunjoy Chatterjee,
Ms. Debapriya Majumder,
Mr. Akash Sarkar

...for the petitioner.

Ms. Amita Gaur,
Mr. Debarshi Brahma

...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner renews his prayer for bail, which was rejected at least twice earlier, lastly on July 3, 2024 in CRM (DB) 1027 of 2024. While rejecting the petitioner’s prayer on bail on July 3, 2024, we had recorded the submission made on behalf of the State that if six months’ time is granted, the trial can be concluded. In view of such submission, we had directed the trial court to expedite the trial and conclude the same at the earliest, but positively within eight months from the next date fixed for recording of evidence. We also granted liberty to the petitioner

to renew his prayer for bail if the trial was not concluded within the time-period indicated above.

2. The petitioner says that in spite of due communication of the said order to the learned trial court, the trial is far from being concluded. Only four out of eleven charge-sheet named witnesses have been examined.
3. Learned State advocate files a report. Let the same be kept with the records. From the report, we find that after our order dated July 3, 2024, eleven dates were fixed by the learned trial court. On three dates, the learned judge could not take up the matter either because he was busy or on leave. Witness was not present on two dates. On one date, because of Bar Resolution, the hearing had to be adjourned. Not on single date, the trial was adjourned at the instance of the petitioner.
4. Therefore, the delay in progress of trial cannot be attributed to the petitioner.
5. Several dates were fixed even prior to our order dated July 3, 2024. We find that on numerous occasions, the witness was absent, causing delay in progress of the trial.
6. In view of the long incarceration of the petitioner and seeing that an early conclusion of the trial is a far cry, we feel impelled to allow the petitioner's prayer for bail.
7. Accordingly, we **allow** the petitioner's prayer for bail.
8. Accordingly, we direct that the petitioner, namely, **Md. Abdul @ Md. Abdullah @ Md. Abul @ Md. Abullah** shall be released on bail upon furnishing a bond of Rs.25,000/- (Rupees Twenty

Five Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned *Judge, Special Court, NDPS Act, Howrah*. The petitioner shall appear before the trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973 / Section 355 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner shall remain within the jurisdiction of the *Howrah* Police Station and shall report to the Officer-in-Charge/Inspector-in-Charge of the said police station once in a fortnight, until further orders.

9. In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this court.
10. The application for bail being CRM (NDPS) 193 of 2025 is, thus, disposed of.
11. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.
12. 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.)