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17-03-2025  
(ct. no.29)  
S. De  
**(Allowed)**

## **CRM (NDPS) 215 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, in connection with **Kaliganj Police Station Case No. 32 of 2023** dated **13.01.2023** under Sections **20(b)(C)/25/29** of the Narcotic Drugs & Psychotropic Substances Act 1985 and chargesheet submitted under **Sections 20(b)(C)/25/29** of the Narcotic Drugs & Psychotropic Substances Act 1985.

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**In the matter of : Rahul Roy.**

Mr. Tapodip Gupta, .... Petitioner.  
... For the Petitioner.

Mr. Antarikhya Basu,  
Ms. Trisha Rakshit, ... For the State.

### **Order dictated by Arijit Banerjee, J.**

1. Status report filed by the State be kept with the records.
2. From the report, we find that chargesheet was filed on July 1, 2023. Charge was framed about 1 years 3 months later, on October 4, 2024. There are 18 chargesheet named witnesses. The prosecution intends to examine 16 out of them. Till date not a single witness has been examined. During the last schedule fixed, no witness turned up. The petitioner is in custody for about 2 years 2 months.
3. From the facts noted above, we see that there is no possibility of an early conclusion of the trial. This petitioner is not responsible for the delay in progress of the trial.
4. Hence, without touching the merits of the case and solely on the ground of inordinate delay in trial, we allow the petitioner's prayer for bail.
5. Accordingly, we direct that the petitioner, namely, **Rahul Roy** shall be released on bail upon furnishing a bond of Rs. 25,000/-

with two sureties of Rs.12,500/- each, one of whom must be local, to the satisfaction of the Learned Judge, Special Court (under the NDPS Act), Nadia at Krishnagar subject to the condition that the petitioner shall remain within the jurisdiction of the Kotwali Police Station and shall meet the Inspector-in-Charge, Kotwali Police Station, once in a week until further orders.

6. The petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

7. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.

8. The application for bail is, accordingly, allowed.

9. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

**(Apurba Sinha Ray, J.)**

**( Arijit Banerjee, J. )**