

40. 17.03.2025
Court
No.29 (Pritam)
(Rejected)

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

CRM (NDPS) 279 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 **Hogolberia** Police Station Case No.**153/2024** dated **01.07.2024** under Sections **20(b)/25/29** of the Narcotic Drugs & Psychotropic Substances Act, 1985.

And

In the matter of: - **Mojammel Molla @ Babu.**

...petitioner.

Ms. Sangeeta Chakraborty

...for the petitioner.

Mr. Subhamay Bhattacharya,
Mr. Akash Ganguly

...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he is in custody for 253 days. There was no recovery from him. He has been implicated solely on the basis of statement made by a co-accused person. He prays for bail.
2. Learned State advocate tells us that out of 4 persons intercepted by the police, three, including this petitioner fled from the spot. The accused persons were carrying 25 kgs. of *ganja*. Call detail reports show exchange of phone calls between this petitioner and co-accused persons at the relevant point of time. WPA is pending against two absconding accused persons.

3. In view of there being, *prima facie*, evidence of complicity of this petitioner in the alleged offence and since commercial quantity of *ganja* is involved, we are not inclined to entertain the petitioner's prayer for bail, at this stage.
4. However, considering the period of detention of the petitioner, we request the learned trial court to expedite the trial and conclude the same on an early date.
1. The prayer for bail is, thus, **rejected**.
2. CRM (NDPS) 279 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.)