

21.03.2025
Item no. 51.
Court No.29.
AB
(Rejected)

CRM (NDPS) 291 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Airport P.S. Case No.173 of 2023 Dated 10.08.2023 under Section 21C 25/28/29 of the NDPS Act

And

In the matter of : Purna Halder

.....Petitioner.

Mr. Anshuman Chakraborty
Mr. S. S. Sahafor the Petitioner.

Mr. Joydeep Roy
Ms. Rajnandini Dasfor the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that Section 41B Cr.P.C. was not complied with by the Police while arresting him making the arrest illegal. If the arrest is illegal, he should be immediately released.
2. We have seen the case diary including the arrest memo. Prima facie, we do not find any merit in the above contention of the petitioner.
3. The petitioner further says that he is in custody for about one year and eight months. Only 1 out of 18 charge sheet named witnesses has been examined, that too, in part. On the ground of delay and long detention, he prays for bail.
4. Learned State Advocate tells us that 9000 bottles of phensedyl syrup containing codeine phosphate was recovered from a truck of which the petitioner was the

driver. The bail prayer of a co-accused person, being the owner of the truck, has been rejected by the Court. The prosecution intends to examine only eight witnesses as would appear from the status report filed today on behalf of the State. Let the same be kept with the records.

5. Learned State Advocate says that all efforts will be made to conclude the trial on an early date. There is sufficient incriminating material against the petitioner.
6. On an overall consideration of the facts and circumstances of the case and in view of involvement of huge quantity of contraband items, we are not inclined to allow the petitioner's prayer for bail, at this stage.
7. The prayer for bail is rejected.
8. CRM (NDPS) 291 of 2025 stands dismissed.
9. However, considering the period of detention of the petitioner, we direct the learned Trial Court to expedite the trial to the fullest extent and conclude the same as soon as possible, without granting unnecessary adjournment to either of the parties and if necessary by fixing frequent schedules of 2/3 days each for examination of witnesses.
10. Parties shall communicate this order to the learned Trial Court.
11. 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.)

