

21.03.2025
Item no. 50.
Court No.29.
AB
(Rejected)

CRM (NDPS) 289 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 Lalgola P.S. Case No.787 of 2024 Dated 28.07.2024 under Section 21C/29 of the NDPS Act

And

In the matter of : Nur Selim @ Chottu

.....Petitioner.

Mr. Firdous Samim,
Ms. Gopa Biswas,
Ms. Payel Shome for the Petitioner.

Mr. Bibaswan Bhattacharya
Mr. Asif Dewan for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he is in custody for 239 days. Allegedly commercial quantity of contraband items were recovered from him. A co-accused has been granted bail by a Coordinate Bench by an order dated 13.12.2024, in CRM (NDPS) 1916 of 2024. The charge sheet along with the chemical report was not filed within the prescribed period. He is entitled to bail.
2. Learned State Advocate tells us that 180 days from the date of the petitioner's arrest was due to expire on January 23, 2025. On January 18, 2025, prayer was made by the Public Prosecutor as well as Investigating Officer for extension of the time period for investigation and filing of charge sheet. Time was extended by a month from the expiry of six months. Again prior to February 23, 2025, a further request was made for

extension of time. Time was extended till March 25, 2025. On March 19, 2025, the charge sheet along with chemical reports have been filed because there were two seizures.

3. Therefore, we see that there was no default on the part of the prosecution. Commercial quantity of contraband items being involved, we are not inclined to allow the petitioner's prayer for bail.
4. The prayer for bail is rejected.
5. CRM (NDPS) 289 of 2025 stands dismissed.
6. 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.)