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C.R.M. (NDPS) 297 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with NDPS case no. 37 of 2023 arising out of Islampur Police Station case no. 860 of 2023 dated 21.11.2023 under Sections 21(c)/23(c) of the NDPS Act, 1985.

And

In the matter of : **Md. Tanbir Ansari**

.... Petitioner

Mr. Niladri Sekhar Ghosh

Mr. Sharyar Alam

Ms. Labani Sikdar

Mr. Souvik Dey

...for the Petitioner

Ms. Rituparna De Ghosh

Ms. Manasi Roy

...for the State

Status report submitted by the State is taken on record.

This is a renewal of bail application which was earlier rejected by this court on 12.4.2024.

It is submitted on behalf of the petitioner that he has been falsely implicated and that three witnesses have turned hostile before the court below during trial and as such, the alleged seizure is in doubt and that he is in custody for about one year five months. He further submits that it will take further time to conclude the trial and the contraband substances that has been allegedly seized from his possession, contains batch number and is available in the free market. Accordingly, he may be released on bail on any terms and conditions.

Learned counsel for the State submits that all the local witnesses who have made their imputations during investigation, implicating the present petitioner could not be

examined as yet. She further submits that in the trial process, till now seven charge-sheeted witnesses have been examined and the court below has fixed the next consecutive dates for evidence of other charge-sheeted witnesses namely PW 7, PW 8 and PW 10.

She further submits that the trial is in progress and would conclude shortly. She also submits that if the petitioner is released on bail, there is serious chance of influencing local witnesses by the petitioner. Accordingly, she opposes the prayer for bail.

I have considered the submissions made by both the parties.

Having considered the facts and circumstances of the case and that trial is in process and that the local witness namely, Subham Ansari is yet to be examined by the prosecution and that rigor of Section 37 of Act attracts in the present case, the prayer for bail is considered and rejected at this stage.

However, the Trial court is requested to conclude the entire proceeding as early as possible, preferably within a period of six months from the next date of hearing.

Accordingly, CRM (NDPS) 297 of 2025 is disposed of.

Urgent Photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)