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C.R.M. (NDPS) 319 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sankrail Police Station case no. 746 of 2023 dated 1.10.2023 corresponding to T.R. case no. 40 of 2023 under Sections 20(B)(ii)(c)/25/29 of the NDPS Act, 1985.

And

In the matter of : **Samar Mistri**

.... Petitioner

Sk. Toslim Ali

...for the Petitioner

Mr. Bibaswan Bhattacharya

Ms. Ayana Dey

...for the State

Learned counsel for the petitioner submits that he is in custody for about one year six months and that he has been falsely implicated with this case and considering the fact that his right to speedy trial has been seriously infringed in view of the fact that only one witness has been examined so far out of ten witnesses, petitioner is entitled to be released on bail.

Learned counsel for the State raised vehement objection contending that the trial could not be concluded as the court was lying vacant for a considerable period of time. However, new P.O. has joined and the trial is expected to be concluded within a very short span of time.

I have considered the submissions made by both the parties. From the seizure list, it appears that about 99 kgs. of Ganja was recovered from the possession of two accused persons and the present petitioner is one of them.

Since the restriction under Section 37 of the NDPS Act clearly attracts in the present context and since the trial has

already been commenced, the prayer for bail is considered and rejected.

However, the Trial court is directed to make his best endeavour to conclude the entire proceeding as expeditiously as possible, preferably within a period of eight months from the next date of hearing.

Accordingly, CRM (NDPS) 319 of 2025 is dismissed.

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.)