

10.04.2025

Sl. no. 39

Ct. No. 29

P.M.

C.R.M. (NDPS) 354 OF 2025

In Re : An application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of BNSS, 2023 in connection with NDPS Case No. 93 of 2024 arising out of Chopra Police station Case No. 990 of 2024 dated 02.10.2024 under Section 21(c)/29 of NDPS Act, 1985.

And

In the matter of : **Abhijit Biswas**

..... petitioner

Mr. Jayanta Banerjee,
Ms. Rukmini Basu Roy
Mr. Argha Bhattacharya

.... For the petitioner

Mr. Iqbal Kabir,
Ms. Puja Goswami

... for the State

Learned counsel appearing on behalf of the petitioner submits that he is a mere bus driver and was not aware about the activities of the principal accused persons, who loaded narcotics substances at the roof top of the bus, without his knowledge. His name transpired from the principal co-accused persons which has no evidentiary value. He further submits that charge sheet has already been submitted and his further detention may not be required and that he has no criminal antecedent and if he is released on bail and he will attend the trial on each and every date.

Learned counsel appearing on behalf of the State raised vehement objection contending that the accused person was arrested from the spot and 140 kg. ganja were recovered from

the conscious possession of four accused persons and petitioner is one of them. He further submits that after receiving FSL report on 26th March, 2025, the prosecution has already submitted charge sheet on 30th March, 2025. He further submits that there are only eight charge sheeted witnesses and it is expected that the trial would be concluded within a short period of time.

I have considered the submissions made by both the parties and on perusal of the materials available in the Case Diary including the confessional statement made by the petitioner, I find that the rigor of Section 37 clearly attracts in respect of the present petitioner.

In such view of the matter the prayer for bail stand rejected. However trial court is requested to expediate the trial.

CRM (NDPS) 354 of 2025 stand disposed of.

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

(Dr. Ajoy Kumar Mukherjee, J.)