

10.04.2025

Sl. no. 40

Ct. No. 29

P.M.

C.R.M. (NDPS) 355 OF 2025

In Re : An application for bail under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 in connection with Bhagwangola Police Station Case No. 393 of 2024 dated 02.08.2024 under Sections 21(C)/29 of the NDPS Act, 1985 read with Section 111 of Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : **Sagar Ali @ Nayon Sk @ Nayan**

.... Petitioner

Mr. Ali Ahsan Alamgir,
Ms. Soma Mal,
Ms. Rabia khatoon,
Ms. Jane Modak

.... For the petitioner

Mr. Saryati Datta,
Ms. Srilekha Chattopadhyay

... for the State

The petitioner submits that he is innocent and he has been falsely implicated with the present case and he further submits that other co-accused persons namely Morshed Sk @ Sablu has already been granted anticipatory bail by this Court on 20th March, 2025 in CRM(A)975 of 2025 and that he is in custody since 1st August, 2023 and that investigation has already been ended in charge sheet and that his further detention is not required and if he is released on bail in any terms and conditions he will attend Court on each and every date.

Learned counsel appearing on behalf of the State raised vehement objection contending that 105 bottles of phensedyl

syrup was recovered from the exclusive possession of the present petitioner and the other accused persons who were granted bail by this Court, were not found to be in possession of any narcotic substance.

He further submits that present petitioner is not on the same footing with the said accused and that the charge sheet has already been submitted on 19th January, 2025 and trial is expected to be concluded within a short period of time.

Having heard the learned counsel appearing on behalf of the petitioner and considering the materials available in the Case Diary including the seizure list and the confessional statement made by the petitioner, I find that the rigor of Section 37 attracts in respect of present petitioner.

The prayer for bail made by the petitioner stands rejected. However, the Trial Court is requested to take initiative for early disposal of the case.

CRM (NDPS) 355 of 2025 stands 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.)