

13.05.2025

akb

Sl. 43

Ct.29

Rejected

CRM (NDPS) No. 369 of 2025

In re: An application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with Amdanga
Police Station Case No. 585 of 2024 dated 25.8.2024 under Section
20(b)(ii)(C)/25/27A/29 of the NDPS Act, 1985.

And

In re: Chand Babu @ Chand Bairagi ... petitioner.

Mr. Prajnadeepta Roy

Mr. Naser Ali

Ms. Sohini Kundu

Mr. Debajyoti Goswami

Mr. Jaymallya Bhattacharya ...for the petitioner

Mr. Koushik Kundu

Ms. Sudeshna Das ...for the State

It is submitted that the petitioner is in custody for about 248 days and 204 kgs. Of Ganja was allegedly recovered from the joint possession of the petitioner while the petitioner was driving vehicle. Petitioner further submits that the certification was made after sending sample to the FSL Department for analysis, accordingly the seizure is doubtful. He further submits that though the charge has been framed but trial has not yet been started and prosecution intends to examine 10 witnesses and nobody knows when the trial will be concluded and as such he may be granted bail on any terms and conditions.

Learned Counsel appearing on behalf of the State produces a report which is taken on record. Learned Counsel for the State vehemently opposed the prayer for bail contending that huge quantity of Ganja and Rs. 1,25,000/- cash were recovered from the possession of the present petitioner and though the charge has already been framed and trial would be conducted shortly and in such circumstances if the petitioner is released on bail there would be serious chance of his abscondance, which would cause delay in

disposal of the case.

Having heard learned Counsel appearing on behalf of the petitioner and the State and in view of the materials available on record I find that conditions imposed in Section 37 of the NDPS Act attracts in the present case and as such the prayer for bail is considered and rejected.

However, the trial Court is requested to expedite the trial and to make his best endeavour to conclude the trial preferably within a period of eighteen months from next date, keeping in mind that the petitioner's fundamental right of speedy trial has been guaranteed under Article 21 of the Constitution of India.

The application, being CRM (NDPS) 369 of 2025 is accordingly disposed of.

(Dr. Ajoy Kumar Mukherjee, J.)