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C.R.M. (NDPS) 379 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Narayangarh Police Station case no. 77 of 2024 dated 15.4.2024 corresponding to NDPS case no. 09 of 2024 under Sections 20(b)(ii)(c)/29 of the NDPS Act, 1985.

And

In the matter of : **Md. Safikul Alam @ Safikul Alam**
.... Petitioner

Sk. Toslim Ali ...for the Petitioner

Mr. Koushik Kundu ...for the State

Learned counsel for the petitioner submits that the petitioner has been falsely implicated and that he has no criminal antecedents. The prosecution case is that a suo motu complaint was lodged on 15.4.2024 on the basis of the alleged credible source information and huge quantity of Ganja was recovered from principal accused.

He further submits that the principal accused has already obtained bail as the charge-sheet could not be submitted within the statutory period. His further contention is that the present petitioner was arrested on the basis of the statement of the co-accused and that he is in custody for about 90 days and that the charge has not yet framed and nobody knows when the trial would be concluded and as such, he may be released on bail on any terms and conditions.

Learned counsel for the State vehemently opposes the prayer for bail contending that the present petitioner is the owner of the vehicle from which the narcotic substances were recovered. He further submits that the petitioner was absconding and after filing of the charge-sheet, on the basis of warrant of arrest, he was apprehended. In such circumstances, if he is released on bail, there is every chance of his absconsion and also committing similar type of offence in future.

Having considered the facts and circumstances of the case and that rigour of Section 37 of the NDPS Act attracts in the present case, the prayer for bail is considered and rejected.

However, the Trial court is requested to expedite the trial and will make every endeavour to conclude the entire proceeding as early as possible, preferably within a period of eighteen months from the next date of hearing. In the event, there would be no substantial progress of the trial within next eighteen months, the petitioner will be at liberty to renew his bail prayer. Petitioner is directed to communicate the order to the court below at the earliest.

Accordingly, CRM (NDPS) 379 of 2025 are disposed of.

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

(Dr. Ajoy Kumar Mukherjee, J.)