

D/L26

19.06.2025
Rohit
ct.no.29

C.R.M. (NDPS) 401 of 2025

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sankrail Police Station Case No. 680 of 2023 dated 06.09.2023 under Sections 20(b)(ii)(C)/29 of the NDPS Act, 1985.

And

In Re: **Abdul Khalek**

...Petitioner

Ms. Sabrina Parveen

...for the petitioner

Mr. Ranadeb Sengupta
Mr. Santanu Talukdar

...for the State

It is submitted on behalf of the petitioner that the petitioner is in custody since 6th September, 2023 and that charge was framed on 12th July, 2024 but examination of a single witness could not be completed as yet and nobody knows when the entire trial would be concluded and as such in the touchstone of Article 21 of the Constitution of India he may be granted bail on any terms and conditions.

Learned Counsel appearing on behalf of the State vehemently opposed the bail prayer contending that 87.6 kgs of ganja was recovered from the exclusive possession of the petitioner and that he has a intra-state member racket and during investigation multiple call details record has been collected which clearly shows his involvement with gang of offenders and that his bail prayer was rejected only on 13.11.2024 and no significant change of circumstance is appearing since then to consider his bail prayer favourably.

Having considered the submissions made by the parties and the materials available so far in the case record I find that the rigour of Section 37 of the NDPS Act clearly attracts in the present case in respect of the present petitioner and as such his prayer for bail is rejected.

However, the trial court is requested to expedite the trial and to make every endeavour to conclude the trial preferably within a period of eight months from the next date of hearing.

Accordingly, CRM (NDPS) 401 of 2025 is 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.)