

11.12.2025

Item No.3

Ct.No.35

dc.

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (NDPS) 412 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Baishnabnagar Police Station Case No. 776 of 2024 dated 07.08.2024 under Sections 21(c)/25/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Diwakar Mandal and another**

... Petitioners.

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick

... For the Petitioners.

Mr. Ranadeb Sengupta,
Ms. Trina Mitra

... For the State.

Learned advocate appearing for the petitioners submits that the petitioners are in custody for 1 year 4 months and only four witnesses have been examined out of the proposed 12 witnesses. Petitioners pray for bail on any stringent condition as there is no scope for the trial concluding in near future.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that commercial quantity of contraband has been seized. However, it has been admitted that eight witnesses are yet to be examined on behalf of the prosecution.

Considering the stage of the case, I am not inclined to release the petitioners on bail. As such, the prayer for bail of the petitioners is **rejected**.

However, State is granted six months' time to conclude the examination of eight witnesses.

It is directed that no unnecessary adjournment be granted to any of the parties and trial of the case would continue in spite of any resolution of the local Bar.

Petitioners would be released on bail in case within the aforesaid schedule, the prosecution is unable to complete its witnesses.

It is further clarified that in case, time is taken by the accused for spoiling the schedule, learned Special Court need not adhere to the aforesaid order.

The application for bail, being CRM (NDPS) 412 of 2025, is, thus, disposed of.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Tirthankar Ghosh, J.)