

12.06.2025

Sl. no. 41

Ct. No. 29

P.M.

**C.R.M. (NDPS) 439 OF 2025**

In Re : An application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 in connection with N.D.P.S. Case No. 74/2024 arising out of Ranitala Police Station Case No. 581 of 2024 dated 19.08.2024 under Section 21(C) / 29 of the NDPS Act.

And

In the matter of : **Ribul Hossain**

.... Petitioner

Mr. Arnab Chatterjee,

Mr. Anisur Rahaman

.... For the petitioner

Ms. Jonaki Saha

... for the State

It is submitted on behalf of the petitioner that 114 bottles of Phensedyl cough syrup containing codeine phosphate was allegedly recovered from the possession of the present petitioner and that charge sheet has been submitted but charge has not yet been framed. The petitioner is in custody for about ten months and considering the period of his detention and that prosecution intends to examine 25 witnesses as per charge sheet for which nobody knows when the entire trial would be concluded, he may be released on bail on any terms and conditions.

Learned counsel appearing on behalf of the State opposed the bail prayer contending that the trial is going to be concluded

shortly and as such if he is released on bail there is serious chance of absconsion which may get the trial delayed.

I have considered the submissions made on behalf of both the parties. From the materials available so far in the case record, it appears that rigour of Section 37 of the NDPS Act clearly attracts in the present case in respect of the present petitioner and as such prayer for bail is considered and rejected.

However, the Trial Court is requested to make every endeavour for expeditious disposal of the case preferably within a period of six months and if there is no substantial progress in trial for which the delay is not attributable to the petitioner, the petitioner will be at liberty to pray for renewal of his bail prayer.

CRM (NDPS) 439 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.)**