

CRM (NDPS) 470 of 2025

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 Murutia Police Station Case No. 252/2023 dated 24.08.2023 under Sections 21(c)/29 of the NDPS Act.

Ratan Das @ Ratan Kumar Das
Vs.
The State of West Bengal

Mr. Sumanta Das
Mr. Avilash Tripathi
.....For the Petitioner
Mr. Ranabir Roy Chowdhury
Mr. Mujibar Ali Naskar
....For the State

It is submitted on behalf of the petitioner that the petitioner is in custody for about six months and the allegation levelled against the petitioner is that he is the owner of the car wherefrom narcotic substance was allegedly recovered though nothing was recovered from his possession. He further submits that the petitioner has no criminal antecedent and the prosecution so far examined only five witnesses out of total nine witnesses and nobody knows when the trial could be concluded and as such he may be released on bail on any terms and conditions.

Learned counsel appearing for the State opposed the prayer for bail contending that he is the owner of the private vehicle from which 169 bottles of cough syrup containing the codeine phosphates was recovered. He further submits that the trial is in progress and five witnesses have already been examined and the next date is fixed

on 30th July and 31st July, 2025 for examination of the rest of the four witnesses.

Having heard the submissions made on behalf of both the parties and also on perusal the materials collected during investigation I find that the rigour of Section 37 of the NDPS Act, clearly attracts in present case in respect of the present petitioner and as such the prayer for bail is rejected.

However, the learned trial court is requested to expedite the trial and to conclude the entire proceeding preferably within a period of six months from the next date of hearing.

The petitioner will be at liberty to renew his bail prayer, if he finds no substantial progress in trial during the said period.

CRM (NDPS) 470 of 2025 is thus disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties on urgent basis after completion of all necessary formalities.

(Dr. Ajoy Kumar Mukherjee, J.)