

36. 25.06.2025
Court
No.29. (Pritam)
(Rejected)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (NDPS) 464 of 2025

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, arising out of **Bongaon** Police Station Case No.**1076/2024** dated **22.11.2024** under Sections **21(C)/29** of the Narcotic Psychotropic Substance Act, 1985.

And

In the matter of: - **Tanay Mondal @ Malay.**

.....petitioner.

Ms. Arushi Rathore,
Ms. Sayanti Poddar.

...for the petitioner.

Mr. Koushik Kundu,
Ms. Nahid Ahmed.

....for the State.

It is submitted on behalf of the petitioner that the petitioner was arrested on the basis of co-accused statement which has got no evidentiary value and he is in custody since December 3, 2024. She further submits that though charge-sheet has been submitted in this case but charge has not yet been framed and nobody knows how long it will take to conclude the trial. She further submits that in the present case video recording was not done in terms of the direction made in the case of Kalu Sk. vs. State, 2022 Live Law (cal) 255.

Learned counsel appearing on behalf of the State opposed the bail prayer contending that the bike from which the narcotic substance was recovered is owned by the present petitioner which revealed during investigation and leading the statement of the present petitioner, 21 bottles of cough syrup containing narcotic substance was recovered from other accused Bishwajit Roy and thereafter again leading to his statement, 69 sealed bottles of cough syrup containing codeine phosphate was also recovered from the possession of the present petitioner. Accordingly, the petitioner has direct complicity with the alleged offence and as such he opposed the prayer for bail.

Having heard the learned counsel on behalf of the petitioner and the State and also on perusal of the materials available so far in the case diary, I find that the rigour of Article 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, trial court is requested to make every endeavour for expeditious disposal of the trial.

CRM (NDPS) 464 of 2025 is disposed of.

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

(Dr. Ajoy Kumar Mukherjee, J.)