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C.R.M. (NDPS) 468 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with NDPS case no. 75 of 2024 arising out of Palashipara Police Station case no. 438 of 2024 dated 2.9.2024 under Sections 21(c)/29 of the NDPS Act, 1985.

And

In the matter of : **Bakul Shaikh @ Bokul Shaikh @ Bakul Sk.**
.... Petitioner

Mr. Tapodip Gupta
Mr. Suman Bhanja

...for the Petitioner

Mr. Kaushik Kundu
Ms. Debolina Das

...for the State

It is submitted on behalf of the petitioner that 265 gms. of heroine was allegedly recovered from the possession of the present petitioner and he is in custody for about ten months. He further submits that the prosecution so far could examine 3 witnesses out of 12 charge-sheeted witnesses. He further submits that out of 3 witnesses, PW 2 who is a seizure witness who failed to identify the petitioner/accused. He further submits that nobody knows when the trial would be concluded and as such, he may be released on bail on any terms and conditions under the touchstone of the Article 21 of the Constitution of India.

Learned counsel for the State opposed the prayer for bail contending that it is true that PW 2 failed to identify the accused/petitioner but PW 1 and PW 3 identified him and the trial is in progress and there is every likelihood that the

prosecution will succeed in this case. Accordingly, he opposed the bail prayer.

Having considered the submissions made on behalf of both the parties and considering the materials placed before me, I find that rigour of Section 37 of the NDPS Act clearly attracts in the present case against the present petitioner and as such, the prayer for bail is rejected.

Accordingly, CRM (NDPS) 468 of 2025 is disposed of.

However, the Trial court is requested to expedite the trial and to make every endeavour to conclude the entire proceeding preferably within a period of one year.

Petitioner will be at liberty to renew his bail prayer, if there would be no substantial progress in the trial during the said period.

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.)