

02.07.2025
Item no.25
Ct. No. 29
BD.

C.R.M. (NDPS) 503 of 2025

In Re:- An application for bail under section 439 of the Code of Criminal Procedure, 1973 as amended/under section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with NDPS Case No. 99 of 2024 arising out of Raninagar Police Station Case No. 629 of 2024 dated 16.10.2024 under section 21(c)/29 of the NDPS Act, 1985.

In the matter of : **Tinku Sk @ Tinku Sekh** Petitioner.

Mr. Tapodip Gupta ...for the Petitioner.

Mr. Saryati Dutta
Mr. Akash Ganguly ...for the State.

Prosecution case is that 160 bottles of cough syrup containing codeine phosphate was recovered from the exclusive possession of the present petitioner.

Learned counsel for the petitioner submits that investigation has already been culminated into a charge-sheet. However, charge has not yet been framed. Prosecution intends to examine sixteen witnesses and nobody knows when the trial would be concluded. Petitioner is in custody for about eight months eleven days and as such, his further detention may not be required and as such, he may be released on bail on any terms and conditions.

Mr. Dutta, learned counsel appearing on behalf of the State, opposed the bail prayer contending that commercial quantity of narcotic substance was recovered from the possession of the present petitioner, and the

trial is going to be commenced very soon and as such, he opposed the prayer for bail.

Having heard learned counsel appearing on behalf of both the parties, it appears that rigour of section 37 of the NDPS Act, clearly attracts in respect of the present petitioner in this case, and as such, the prayer for bail is considered and rejected.

However, learned trial court is directed to expedite the trial keeping in mind that the right to speedy trial is a fundamental right of the petitioner guaranteed under Article 21 of the Constitution of India.

CRM (NDPS) 503 of 2025 is accordingly disposed of.

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

(Dr. Ajoy Kumar Mukherjee, J.)