

CRM (NDPS) 512 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 Budbud P. S. Case No. 22 of 2024 dated 04.03.2024 under Sections 21 (ii)(c)/25/29 NDPS Act.

Dhiraj Yadav @ Dhiraj
Vs.
The State of West Bengal

Mr. Asraf Mandal
.....For the Petitioner
Mr. Sanjay Banerjee
Ms. Madhumita Basak
....For the State

The petitioner submits that he was allegedly driving the vehicle from which 9,300 bottles of cough syrup containing codeine phosphate was recovered. The petitioner is in custody for about 470 days and the prosecution proposes to examine six witnesses out of which they could examine only one witness so far and nobody knows when the trial could be concluded and as such under touchstone of Article 21 of the Constitution of India he may be released on bail on any terms and conditions.

Learned counsel appearing on behalf of the State vehemently opposed the bail prayer contending that charge was framed on 11.12.2024 and the trial is in progress and the next date is fixed on 3rd July, 2025 and within a short span of time the trial would be concluded.

Having considered the submissions made on behalf of the petitioner and the State and also on perusal of the materials placed

before me, I find that the rigour of Section 37 of the NDPS Act, clearly attracts in the present case in respect of the present petitioner and as such the prayer for bail is considered and rejected.

However, the trial court is requested to expedite the trial keeping in mind the valuable fundamental right of speedy trial guaranteed to the petitioner under Article 21 of the Constitution of India.

CRM (NDPS) 512 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.)