

14.08.2025
38/Ct.29
AJ
Rejected

C.R.M. (NDPS) 521 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection NDPS case no. 81 of 2024 arising out of Raninagar Police Station case no. 533 of 2024 dated 3.9.2024 under Sections 186/188 of the Indian Penal Code and Sections 21(c)/29 of the NDPS Act, 1985.

And

In the matter of : **Rasid Sk @ Rashid Sk**

.... Petitioner

Mr. Soumyajit Das Mahapatra,
Md. G.N. Imrohi.

...for the Petitioner

Mr. Rudradipta Nandy, Ld. A.P.P.,
Ms. Sanjida Sultana.

...for the State

The prosecution case is that 600 bottles of phensedyl syrup containing codine phosphate was allegedly recovered from the exclusive possession of the present petitioner. The petitioner is in custody since 3rd September, 2024. The prosecution proposes to examine 17 witnesses out of which they could not examine a single witness till date, though the charge was framed on March 19, 2025. As such, there is uncertainty as to when the trial would be concluded and considering his period of incarceration, the petitioner may be released on bail on any terms and conditions.

Learned counsel appearing on behalf of the State opposes the prayer for bail contending that commercial quantity of contraband was recovered from the possession of

the present petitioner and that the case is pending for trial before the Court below.

Having heard learned Counsel for the appearing on behalf of the petitioner and the State and that the petitioner failed to overcome the restrictions imposed under Section 37 of the NDPS Act, the prayer for bail is considered and rejected.

However, the Trial Court is requested to expedite the trial.

Accordingly, CRM (NDPS) 521 of 2025 is disposed of.

Both the parties shall communicate this order to the learned Court below at once.

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.)