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C.R.M. (NDPS) 533 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. 58 of 2024 arising out of Islampur Police Station case no. 399 of 2024 dated 18.7.2024 under Sections 21(c)/25/29 of the NDPS Act, 1985.

And

In the matter of : **Mithun Das**

.... Petitioner

Mr. Tapodip Gupta
Mr. Suman Bhanja

...for the Petitioner

Ms. Subhasree Patel
Ms. Trisha Rakshit

...for the State

Petitioner's contention is that 4993 bottles of phensidyl syrup containing codeine phosphate was allegedly recovered from the joint possession of the present petitioner. He further submits that he is in custody for about one year and the charge has been framed on 4th March, 2025. However, prosecution could not examine a single witness till date and nobody knows when the trial would be concluded and as such, he may be released on bail on any terms and conditions.

Learned counsel for the State opposed the prayer for bail contending that the commercial quantity of narcotic substance was recovered from the joint possession of the present petitioner. He further submits that prosecution proposes to examine eight witnesses and the examination of witnesses is going to commence shortly.

Having considered the submissions made on behalf of both the parties and that rigour of Section 37 of the NDPS Act clearly attracts in respect of the present petitioner in the instant case, the prayer for bail made by the petitioner is rejected.

Accordingly, CRM (NDPS) 533 of 2025 is disposed of.

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.)