

19.08.2025
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SB
Rejected

C.R.M. (NDPS) 565 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. 128 of 2024 arising out of Berhampore Police Station case no. 1997 of 2024 dated 07.12.2024 under Sections 21(c)/29 of the NDPS Act 1985.

And

In the matter of : **Rohit Sk. @ Rahid Sk.**

.... Petitioner

Mr. Soumyajit Das Mahapatra

Mr. Golam Nure Imrohi

...for the Petitioner

Ms. Anasuya Sinha, Ld. APP

Mr. Soumya Basu Roy Chowdhury

...for the State

Prosecution case is that 1000 bottles of phensedyl syrup containing codine phosphate was recovered from the godown of the present petitioner.

Learned counsel for the petitioner submits that though he is the owner of godown but he had let it out to Abdul Alim Sk. and in support of the same, he also annexed one "Godown Ghar Varatia Chuktipatra". Accordingly, he submits that he is innocent and has got no connection with the alleged offence and he is in custody for about eight months and ten days 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 person with whom, the petitioner has allegedly made a tenancy agreement and who is also a co-accused, is absconding. She further submits that the seizure

list discloses that the narcotic substance was recovered from the conscious possession of the present petitioner and the petitioner's signature is also appearing in the seizure list.

Having considered the submissions made on behalf of both the parties and also considering the materials placed in the case diary including the seizure list, I find that the petitioner fails to overcome the restrictions imposed under Section 37 of the NDPS Act, the prayer for bail made by the petitioner is rejected.

However, the Trial court is requested to expedite the trial and if required, the court below will split up the record in connection with the absconding accused. Both the parties will communicate the order to the Trial court immediately.

Accordingly, CRM (NDPS) 565 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.)