

03.07.2025
Item no.50
Ct. No. 29
BD.

C.R.M. (NDPS) 559 of 2025

In Re:- An application for bail under section 439 of the Code of Criminal Procedure, 1973/ section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with NDPS Case No. 82 of 2022 arising out of Karimpur Police Station Case No. 285 of 2022 dated 07.11.2022 under section 21(c)/29 of the NDPS Act, 1985.

In the matter of : **Monirul Sk @ Seikh** Petitioner.

Mr. Arnab Chatterjee
Mr. Dhanasree Biswas
Ms. Poulami Bose ...for the Petitioner.

Mr. Anand Keshri
Ms. Manashi Roy ...for the State.

Petitioner submits that 1 Kg. 600 gms. of heroin was allegedly recovered from the house of the petitioner. He further submits that charge of this case was framed in the month of August, 2023 and prosecution examined six witnesses till April, 2024, but since then for last one year three months they could examine only one witness in full and partly they could examine PW 8. In such circumstances and considering the long incarceration suffered by the petitioner, he may be released on bail on any terms and conditions.

Learned counsel appearing on behalf of the State submits that on 23rd June, 2025 the last witness namely, the Investigating Officer was examined in part and 8th August, 2025 is fixed for examining and cross-examining that accused. Accordingly, trial is almost on the verge of

completion and at this stage, if the petitioner is released on bail there is serious chance of his abscontion, which may get the trial delayed further.

Having heard learned counsel appearing on behalf of both the parties and on perusal of the materials placed before me and 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, considering the fact that the petitioner is in custody for about two years and seven months, the trial court is requested to expedite the trial and to make every endeavour to conclude the trial preferably within a period of three months from the next date of hearing. If the petitioner finds no substantial progress in trial during the said period for which the petitioner cannot be blamed he will be at liberty to renew his bail prayer.

Both the parties are directed to communicate this order to the learned trial court at once.

CRM (NDPS) 559 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.)

