

24.07.2025  
Item no.35  
Ct. No. 29  
akb

**C.R.M. (NDPS) 563 of 2025**

In Re:- An application for bail under section 439 of the Code of Criminal Procedure, 1973/under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with NDPS Case No. 52 of 2023 arising out of Karimpur Police Station Case No. 122 of 2023 dated 22.05.2023 under section 20(b)(ii)(C)/27(A)/25 of the NDPS Act, 1985.

In the matter of : **Sahine Malitha @ Malithya** .... Petitioner.

Mr. Asraf Mondal  
Md. Bani Israil ...for the Petitioner.

Mrs. Sreyashee Biswas  
Mr. Sujoy Sarkar ...for the State.

It is submitted on behalf of the petitioner that the petitioner is in custody for a considerable period of time and 41.5 Kgs. of Ganja was recovered from an abandoned vehicle. Prosecution claimed that the said vehicle is owned by the petitioner. Considering his period of detention the petitioner may be released on bail on any terms and conditions in the touch-stone of Article 21 of the Constitution of India.

Learned counsel appearing on behalf of the State opposed the bail prayer contending that the bail prayer of the present petitioner was rejected on 05.12. 2024. She further submits that since commercial quantity of narcotic substance was recovered from the abandoned vehicle owned by the petitioner, rigour of section 37 of

the NDPS Act clearly attracts in respect of the present petitioner.

Having heard the submissions made on behalf of the parties and that the material discloses 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, trial court is requested to expedite the trial and to conclude the same preferably within a period of eighteen months from the next date of hearing. If the petitioner finds no substantial progress in trial, during the said period he will be at liberty to renew his bail prayer.

CRM (NDPS) 563 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.)**