

02.07.2025.
p.b.
SL. No.63.
Ct. No.29.

CRM (NDPS) 564 of 2025

In Re:- An application for Bail under Section 439 of the Criminal Procedure Code as amended/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with NDPS Case No.131 of 2024 arising out of Lalgola P.S. Case No.1198 of 2024 dated 10.12.2024. under Sections 21(c)/29 of the NDPS Act, 1985.

And

In the matter: **Samsad Sk.**
.....Petitioner.

Mr. Tapodip Gupta,
Mr. Suman Bhanja.
.....for the Petitioner.

Mr. Avishek Sinha,
Mr. Kaustav Banerjee.
.....for the State.

The prosecution case is that 275 gms. of heroin was recovered from the joint possession of the petitioner and the co-accused. Petitioner submits that he has been falsely implicated and he is in custody for about 6 months 22 days. He further submits that investigation has already been culminated into a charge sheet and the next date is fixed on 18th July, 2025 and as such, nobody knows when the trial would be concluded and for which the petitioner may be enlarged on bail on any terms and conditions.

The learned counsel for the State opposed to the bail prayer contending that commercial quantity of narcotics substance recovered from the joint possession

of the petitioner. He further submits that if the petitioner is released on bail, there is serious chance of his absconsion and committing similar type of offence by the petitioner in case of release cannot be ruled out.

Having heard the learned counsel for the petitioner and the State, I find from the materials placed before me that the rigour of Section 37 of the NDPS Act clearly attracts in respect of the present petitioner, and as such the prayer for bail is considered and rejected.

However, trial court is directed to expedite the matter keeping in mind that the right to speedy trial is a fundamental right of the petitioner guaranteed under Article 21 of the Constitution of India.

Accordingly, CRM (NDPS) 564 of 2025 is 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.)