

22.07.2025

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C.R.M. (NDPS) 580 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. 107 of 2024 arising out of Sagarpara Police Station case no. 412 of 2024 dated 11.10.2024 under Sections 21(c)/29 of the NDPS Act, 1985.

And

In the matter of : **Aidul Sk. & Anr.**

.... Petitioners

Mr. Tapodip Gupta

...for the Petitioners

Mr. Subhamoy Bhattacharya

Mr. Dattatreya Dutta

...for the State

Report submitted by the State dated 15.7.2025, is taken on record.

The prosecution case is that 270 bottles of cough syrup containing codeine phosphate was recovered from the joint possession of the present petitioners. Learned counsel for the petitioner submits that the petitioners are in custody for about nine months and 11 days and the investigation has already been culminated into a charge-sheet and the charge has not yet been framed. He further submits that as per charge-sheet, the prosecution is required to examine 25 witnesses and the trial has not yet been started and as such, nobody knows when the trial would be concluded and furthermore, one of the petitioners is suffering from different ailments for which, he may be released on bail on any terms and conditions.

Learned counsel for the State places the report and submits that the petitioners are medically fit as reflected in the report dated 15.7.2025 and he further submits that the commercial quantity of narcotic substance was recovered from the joint possession of the present petitioners and as such, he opposes the bail prayer made by the petitioners.

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

Accordingly, CRM (NDPS) 580 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.)