

13.08.2025
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Rejected

C.R.M. (NDPS) 623 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. 24 of 2023 arising out of Budbud Police Station case no. 123 of 2023 dated 01.11.2023 under Sections 21(C)/25 of the NDPS Act 1985.

And

In the matter of : **Bappa Mondal**

.... Petitioner

Mr. Arun Kumar Maiti(Mohanty)

Mr. R. R. Mohanty

Ms. P. Chowdhury

Ms. R. Majumder

...for the Petitioner

Mr. Avishek Sinha

...for the State

The prosecution case is that 8000 bottles of cough syrup containing codine phosphate was recovered from the vehicle which was driven by the present petitioner.

Learned counsel for the petitioner submits that the petition is in custody for about 21 months and 12 days and the prosecution proposes to examine seven witnesses out of which they could so far examine only one witness in part and it will take long time to conclude the trial and considering his period of incarceration, he may be released on bail on any terms and conditions.

Learned counsel for the State vehemently opposed the prayer for bail contending that huge quantity of narcotic substance was recovered from the vehicle which was owned by the present petitioner and at the time of recovery, he was

driving the said vehicle and as such, he has direct involvement with the alleged offence. He further submits that the trial is in progress and it is expected that it would be concluded within a short span of time.

Having considered the submissions made on behalf of both the parties and 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 considering the fact that the petitioner is in custody for a considerable period of time, the Trial court is requested to conclude the trial preferably within a period of eight months and if possible, to fix the date at a regular interval. If the petitioner does not find any substantial progress in trial during the said period for which, the delay in trial would not be attributable to the present petitioner, he will be at liberty to renew his bail prayer. Both the parties will communicate the order to the Trial court immediately.

Accordingly, CRM (NDPS) 623 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.)