

23.07.2025

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SR

Rejected

CRM (NDPS) 647 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with N-77 of 2024 arising out of NCB Crime No. 15/NCB/KOL/2024 dated 06.09.2024 under Sections 8(c) read with 21(c) and 29 of the NDPS Act, 1985.

And

In the matter of : **Dharmendra Singh @ Dharmendra Pal Singh**
.... Petitioner

Mr. Gunjan Kumar Singh
Mr. Vijay Verma

...for the Petitioner

Mr. Manju Manot
Mr. Suryaneel Das

... for the State.

Petitioner submits that it is alleged on behalf of prosecution that 14998 bottles of Phensedyl containing codeine phosphate was recovered from a vehicle, which was allegedly driven by the petitioner herein. He further submits that the petitioner is in custody for about 320 days and being an aged person he is suffering from different physical ailments. He further submits that six accused persons are still absconding and, as such, there is hardly any possibility of early conclusion of trial and, as such, he may be released on bail on any terms and conditions.

Learned counsel appearing on behalf of the NCB vehemently opposed the bail prayer contending that the petitioner knowingly loaded the truck with phensedyl cough syrup narcotic contraband from Prayagraj, Uttar Pradesh. He

further submits that the petitioner is a resident of Uttar Pradesh and, as such, if he is released on bail there is serious chance of his abscondence and he further submits that delay in trial is attributable to the accused person.

I have considered the submissions made on behalf of both the parties.

The material placed before me discloses that the rigour of Section 37 of the NDPA Act attracts in respect of the present petitioner in the instant case and that the six accused persons are absconding and the petitioner is a resident of the State of Uttar Pradesh and if he is released on bail, there is serious chance of his abscondence and, as such, the prayer for bail cannot be allowed.

Accordingly, CRM (NDPS) 647 of 2025 is rejected.

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.)