

29.07.2025
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C.R.M. (NDPS) 646 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. 84 of 2024 arising out of Kaliganj Police Station case no. 809 of 2024 dated 17.09.2024 under Sections 21(c)/22(c)/25/27A/28/29 of the NDPS Act, 1985.

And

In the matter of : **Narendra Kumar**

.... Petitioner

With

C.R.M. (NDPS) 852 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. 84 of 2024 arising out of Kaliganj Police Station case no. 809 of 2024 dated 17.09.2024 under Sections 21(c)/22(c)/25/27A/28/29 of the NDPS Act, 1985.

In the matter of : **Yogesh Kumar**

.... Petitioner

With

C.R.M. (NDPS) 877 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. 84 of 2024 arising out of Kaliganj Police Station case no. 809 of 2024 dated 17.09.2024 under Sections 21(c)/22(c)/25/27A/28/29 of the NDPS Act, 1985.

In the matter of : **Kabijul Mondal @ Mandal**

.... Petitioner

Mr. Soumyajit Das Mahapatra
Mr. Tapodip Guta

...for the Petitioner

In C.R.M. (NDPS) 646 of 2025
C.R.M. (NDPS) 852 of 2025

Mr. Arnab Chatterjee
Ms. Dhanasree Biswas
Ms. Poulami Bose

...for the Petitioner

In C.R.M. (NDPS) 877 of 2025

Mr. Antarikhya Basu
Ms. Madhumita Basak

...for the State

The prosecution case is that 101.38 kgs. of alprazolam and 210 kgs. of acetic anhydride were recovered from the possession of the present three petitioners.

It is submitted on behalf of the petitioners that the petitioners are in custody for about 10 months and chemical examination report discloses that the substance allegedly recovered from the possession of the petitioners, is controlled substance and therefore, the rigour of Section 37 of the NDPS Act does not attract in the respect of the present three petitioners.

Learned counsel for the petitioners further submits that investigation has already been culminated into a charge-sheet under the Drugs and Cosmetics Act as well as under Section 25A of the NDPS Act. It is further submitted that the prosecution as per charge-sheet, is required to examine 15 witnesses and it will take long time to conclude the trial and as such, they may be released on bail on any terms and conditions.

Learned counsel for the State vehemently opposed the bail prayer contending that the investigation discloses that the petitioners do not have any valid licence to deal with the controlled substance which is violative under Section 9A of the NDPS Act, 1985 and therefore, they have committed offence under Section 25A of the NDPS Act for which, the

punishment may extend up to ten years. He further submits that huge quantity of contraband substance was recovered from the possession of the petitioners and the trial has already been started and two prosecution witnesses have already been examined and the prosecution proposes to examine six more witnesses and it is expected that the trial would be concluded within a period of eight months.

Having considered the submissions made on behalf of both the parties and considering the gravity of the allegation and that the trial has already been commenced, the prayer for bail made on behalf of the present three petitioners are rejected at this stage.

However, the Trial court is directed to conclude the trial preferably within a period of eight months from the next date of hearing. If the petitioners find no substantial progress in the trial during the said period for which, the delay would not be attributable to the accused persons, they will be at liberty to pray for renewal of their bail prayer. Both the parties will communicate the order to the Trial court immediately.

Accordingly, CRM (NDPS) 646 of 2025 with CRM (NDPS) 852 of 2025 with CRM (NDPS) 877 of 2025 are 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.)