

29.07.2025
Item no.43
Ct. No. 29
BD.

C.R.M. (NDPS) 635 of 2025

In Re:- An application for bail under section 439 of the Criminal Procedure Code as amended/ under section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with NDPS Case No. 03 of 2025 arising out of Raninagar Police Station Case No. 769 of 2024 dated 28.12.2024 under sections 21(c)/29 of the NDPS Act, 1985.

In the matter of : ***Rajesh Sk.***

.... Petitioner.

Mr. Tapodip Gupta ... for the petitioner.

Mr. Bitasok Banerjee
Mr. Mainak Gupta ... for the State.

Prosecution case is that 275 bottles of cough syrup containing codeine phosphate was recovered from the possession of the present petitioner.

Learned counsel appearing on behalf of the petitioner submits that he is in custody for about seven months and the investigation has already been ended into a charge-sheet and the trial has not yet been started and as such he may be released on bail on any terms and conditions on the touch-stone of Article 21 of the Constitution of India.

Learned counsel appearing on behalf of the State opposed the bail prayer contending that commercial quantity of narcotic substance was recovered from the exclusive possession of the present petitioner and 14th August, 2025 is fixed for charge hearing and at this stage

if the petitioner is released on bail there will be serious chance of his abscontion.

Having heard learned counsel appearing on behalf of both the parties and that rigour of Section 37 of the NDPS Act clearly attracts in respect of the present petitioner, the prayer for bail is considered and rejected.

However, the Trial court is requested to expedite the trial and to make every endeavour to conclude the trial as expeditiously as possible, keeping it in mind that the fundamental right to speedy trial has been guaranteed to the petitioners under Article 21 of the Constitution of India.

Both the parties will communicate the order to the Trial court at once.

CRM (NDPS) 635 of 2025 is accordingly 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.)