

23.07.2025
62
SR
Rejected

CRM (NDPS) 658 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Kaliachak Police Station Case NO.1333/2024 dated 27.08.2024 under Sections 21(C)/27A/25/29 of the NDPS Act, 1985.

And

In the matter of : **Nishfal Mandal @ Nisfal & Anr.**

.... Petitioners

Mr. Tanmoy Khan

...for the Petitioner

Mr. Ranabir Ray Chowdhury

Mr. Ashok Das

... for the State.

It is submitted that the petitioner is in custody for about eleven months. Prosecution case is that eight hundred bottles of cough syrup (each containing 100 ml) containing codeine phosphate was recovered from the exclusive possession of the present petitioners. After filing the charge-sheet, charge has been framed by the court below on 25th June, 2025 and 1st August, 2025 is fixed for recording evidence.

Learned counsel appearing on behalf of the State opposed the bail prayer contending that the commercial quantity of narcotic substance was recovered from the exclusive possession of the present petitioners.

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

However, the Trial Court is requested to make every endeavour for expeditious disposal of the case keeping it in mind that the fundamental right of the petitioners for speedy trial is guaranteed under Article 21 of the Constitution of India.

Accordingly, CRM (NDPS) 658 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.)