

224
02.09.2025
Ct. 29
Jayanta
Rejected

C.R.M. (NDPS) 649 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Baruipur Police Station case no. 643/2024 dated 29.04.2024 under Sections 21(c)/ 29 of the Narcotic Drugs and Psychotropic Substance Act, 1985;-

And

In the matter of : **Rabi Chatterjee**

.... Petitioner

Mr. S. S. Saha

...for the Petitioner

Mr. Ashok Das

...for the State

Learned advocate for the petitioner submits that the petitioner is in custody for about one year and four months and 1.693 kgs of coaedeine phosphate was allegedly recovered from the possession of the petitioner.

He further submits that on last nine occasions the prosecution has failed to bring any witness and the prosecution proposes to examine five witnesses but they could so far examine only two witnesses. He further pointed out the earlier orders of this Court wherein the prosecution submitted that the trial would be concluded within a short span of time. However, it has not been concluded and the next date is fixed for examination of Gazetted Officer and Investigating Officer.

In such circumstances, nobody knows when the trial would be concluded and as such he may be

released on bail on the touch stone of Article 21 of the Constitution of India.

Learned advocate appearing on behalf of the State opposed to the bail prayer and contended that 26th August and 27th August, 2025 was fixed for examination of Gazetted Officer and the Investigating Officer and also for examination of the accused under Section 313 Cr. P.C. No witnesses were present on both the dates and the Court has fixed 9th September, and 10th September, 2025 for adducing evidence by Gazetted Officer and Investigating Officer, in default, examination of the accused under Section 313 Cr.P.C.

Having heard the learned advocate appearing on behalf of the petitioner and on behalf of the State and that the commercial quantity of Narcotic Substance was recovered from the possession of the present petitioner and that restriction of Section 37 of the NDPS Act clearly attracts in respect of the present petitioner and that the trial is almost on the verge of completion and considering all these aspects, prayer for bail is considered and rejected.

CRM (NDPS) 649 of 2025 is 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.)