

12.08.2025
Ct. No.29

Sl. No.55
Mujahid
(Rejected)

C.R.M. (NDPS) 686 of 2025

In Re: An application for bail under Section 483 of the B.N.S.S., 2023 filed on 09.06.2025 in connection with Swarupnagar P.S. Case No.104 of 2024 dated 22.02.2024 under Section 21(c) of the NDPS Act, 1985.

And

In the matter of: **Rakesh Mondal**

....Petitioner

Mr. Mazhar Hossain Chowdhury,
Ms. Chandrima Debnath

...for the petitioner

Ms. Sreyashee Biswas,
Mr. Sasankh Sekhar Saha

...for the State

1. The report submitted by the State is taken on record.
2. It is submitted on behalf of the petitioner that 28 bottles of Phensedyl containing codeine phosphate was allegedly recovered from the possession of the petitioner. Petitioner is in custody for about one year six months since 21st February, 2024. He further submits that this is his 4th bail application and by the earlier order, this High Court directed the Trial Court to expedite the trial and to conclude the same on an early date without granting any unnecessary adjournment to either of the parties. However, it transpires that out nine witnesses only one witness has been examined so far and nobody knows when the trial would be concluded and as such he may be released on bail on any terms and conditions.

3. Learned counsel appearing on behalf of the State opposed the bail prayer contending that commercial quantity of contraband was recovered from the exclusive possession of the present petitioner and that trial is in progress and the next date is fixed on 13, 14, 18 of this month for evidence and it is expected that within a short span of time, the trial would be concluded.

4. Having heard learned counsel appearing on behalf of the petitioner and the State and that regour of Section 37 of the NDPS Act attracts in respect of the present petitioner, the prayer for bail is considered and reject.

5. However, Trial Court is directed to expedite the trial and to conclude the same preferably within a period of six months from the next date of hearing. If the petitioner finds no substantial progress in trial during the said period for which the delay would not be attributable to the petitioner, he will be at liberty to renew his prayer.

6. Accordingly, CRM (NDPS) 686 of 2025 is disposed of.

7. Urgent photostat certified copy of this order, duly applied, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)