

10.7.2025

akb

Sl. 16

Ct.29

Rejected

CRM (NDPS) No. 710 of 2025

In re: An application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with the N.D.P.S.
Case No. 35 of 2024 arising out of Hogalberia Police Station Case No.
46 of 2024 dated 15.3.2024 under Section 21(c)/29 of the NDPS Act,
1985.

And

In re: Bipad Mandal @ Bipad Mondal & Anr. ... petitioners.

Mr. Tapodip Gupta

...for the petitioners

Mr. Bitashok Banerjee

Mr. Sobhan Gani

...for the State

Prosecution case is that 749 bottles of phensedyl syrup
containing codeine phosphate was recovered from the four accused
persons including the present petitioner. Petitioner submits that he is
in custody for about one year three months. His further case is that
some of the prosecution witnesses who were alleged members of
raiding team could identify the petitioners on the dock and some of
them could not identify. He further submits that prosecution still
proposes to examine four more witnesses and nobody knows when the
trial could be concluded and as such he may be released on bail on
any terms and conditions.

Learned Counsel appearing on behalf of the State opposed the
bail prayer contending that trial is in progress and 11th August and
12th August, 2025 are fixed for examination of charge sheeted witness
Nos. 14 and 15 and it is expected that trial would be concluded within
a short period of time and at this stage if the petitioner is released on
bail there is serious chance of abscondence which may get the trial
delayed further.

Having considered the submissions made on behalf of the
petitioners and the State and on perusal of the materials available

with the case record and also in view of the fact that rigour of Section 37 of the NDPS Act attracts in the present case in respect of the present petitioners, I find that they are not entitled to be released on bail and as such 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 entire proceeding preferably within a period of nine months. If the petitioners find no substantial progress during the said period and that cause of delay in trial is not attributable to the accused persons, they will be at liberty to renew their bail prayer.

The application, being CRM (NDPS) 710 of 2025 is accordingly disposed of.

(Dr. Ajoy Kumar Mukherjee, J.)