

48
14.08.2025
Ct. 29
Jayanta
Rejected

C.R.M. (NDPS) 711 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. 1476 of 2024 dated 17/09/2024 under Sections 21(c)/25/27A, 29 of the NDPS Act, 1985;-

And

In the matter of : **Amir Hamja**

.... Petitioner

Mr. Kalidas Saha
Ms. Khushi Mollick

...for the Petitioner

Mr. Bibaswan Bhattacharya
Ms. Sima Biswas

...for the State

The prosecution case is that 355 grams of brown sugar was recovered from the first floor bed room of the present petitioner and four other accused persons were arrested on the spot.

Learned counsel appearing for the petitioner submits that he is in custody for about 11 months and charge sheet has already been submitted and there is no requirement of his further detention and he may be released on bail on any terms and conditions.

Learned counsel appearing on behalf of the State opposed to the bail prayer contending that commercial quantity of Narcotic Substances was recovered from the house of the petitioner and that the entire search and seizure was videographed. He

further submits that delay in trial is clearly attributable to the accused persons as one of the co-accused, namely, Jarif Biswas @ Jarip Biswas is still absconding. However, Trial Court has fixed 20th August, 2025 for supply of copy to the accused persons and they are going to propose before the Trial Court to split the record in respect of Jarif Biswas @ Jarip Biswas, and to proceed with the trial.

Having heard the learned counsel appearing on behalf of the petitioner and the State and considering the fact that the delay in trial is attributable to the accused persons and not on the state and that the petitioner has failed to overcome the restrictions imposed under Section 37 of the NDPS Act, the prayer for bail is rejected.

Accordingly, CRM (NDPS) 711 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.)