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14.08.2025
Ct. 29
Jayanta
Rejected

C.R.M. (NDPS) 714 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Mandirbazar Police Station case no. 479/2024 dated 30.10.24 under Sections 20 (b) of the NDPS Act, 1985;-

And

In the matter of : **Barun Halder**

.... Petitioner

Mr. Angshuman Choudhury
Mr. S. S. Saha

...for the Petitioner

Mr. Antarikhya Basu
Mr. Atanu Ghosh

...for the State

The prosecution case is that 37.37 kg. of Ganja was recovered from the possession of three accused persons including the present petitioner as reflected from the seizure list.

Learned counsel for the petitioner submits that the petitioner as customer of grocery goods went to the grocery shop of one Anup Halder at the time of alleged search and seizure, wherefrom the contraband substance was allegedly recovered.

The petitioner being a customer of grocery shop cannot have any involvement with the alleged offence and he is a resident of the locality and that he is in custody since 30th October, 2024 and that the trial has not yet been commenced and as such nobody knows when the trial would be concluded and

considering all these, he may be released bail on any stringent terms and conditions.

Learned counsel appearing on behalf of the State opposes the petitioner's prayer contending that the materials collected during investigation including the statement of witnesses and the seizure list discloses that the recovery of contraband was also made from the present petitioner and the petitioner has direct involvement with the alleged offence and the entire search and seizure was videographed and the Pen Drive was also seized. He further submits that the next date before the Trial Court for examination of the prosecution witnesses is fixed on 1st and 2nd September, 2025 and as such it is expected that the trial would be concluded within a short span of time.

Having heard the learned counsels appearing on behalf of the petitioner and the State and on perusal of the materials available in the Case Diary, I find that the petitioner is failed to overcome the restrictions imposed under section 37 of the NDPS Act and as such his prayer for bail is considered and rejected.

However, the Trial Court is directed to expedite the trial and to come to a logical conclusion within a short period of time.

Accordingly, CRM (NDPS) 714 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.)