

30.07.2025

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C.R.M. (NDPS) 716 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection English Bazar Police Station case no. 22 of 2022 dated 06.01.2022 under Sections 21(c)/29 of the NDPS Act, 1985.

And

In the matter of : **Sk. Sabirul @ Haru @ Sk. Nabirul
@ Sk. Harun**

.... Petitioner

Mr. Arup Kr. Bhowmick

...for the Petitioner

Mr. Madhusudan Sur, Ld. APP

Mr. Karan Bapuli

...for the State

The prosecution case is that 170 bottles of phensidyl syrup containing codeine phosphate was allegedly recovered from the dining room of the present petitioner and the house is owned by the petitioner.

Learned counsel for the petitioner submits that the petitioner is in custody for about 70 days and the charge has not yet been framed and as such, nobody knows when the trial would be concluded and as such, he may be released on bail on any terms and conditions.

Learned counsel for the State opposed the prayer for bail contending that the anticipatory bail prayer of the present petitioner was rejected on 20th June, 2022 and thereafter, he absconded for about three and half years and the police arrested him on 10th May, 2025 and since then, he is in custody. He further submits that the petitioner caused delay

in trial due to his abscondance and if he is released on bail, there is serious chance of further abscondance.

Having considered the submissions made on behalf of both the parties and that the petitioner fails to overcome the restrictions imposed under Section 37 of the NDPS Act and also considering his previous conduct, the prayer for bail made by the petitioner is rejected.

However, the Trial court is requested to expedite the trial and to make every endeavour to conclude the trial at an earliest possible date. Both the parties will communicate the order to the Trial court immediately.

Accordingly, CRM (NDPS) 716 of 2025 is disposed of.

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

(Dr. Ajoy Kumar Mukherjee, J.)