

21.08.2025

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KAUSHIK

Rejected

C.R.M. (NDPS) 720 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Special Case No. 06 of 2024 arising out of Kaliachak Police Station case no. 13 of 2024 dated 03.01.2024 under Sections 21(c)/27A/29 of the NDPS Act 1985.

And

In the matter of : **Sabir Sk.**

.... Petitioner

Mr. Tapodip Gupta

...for the Petitioner

Ms. Faria Hossain

Ms. Jonaki Saha

...for the State

Report dated 20th August, 2025 submitted by State be taken on record.

Prosecution case is that 262 grams of brown sugar was recovered from the exclusive possession of the present petitioner.

Learned counsel for the petitioner submits that the petitioner is in custody for about one year seven months eighteen days. He further submits that the trial has not yet commenced and as such nobody knows when the trial would be concluded and for which he may be released on bail on any terms and conditions.

Learned counsel for the State opposed the bail prayer contending that one co-accused Jamirul Islam @ Sk, whose name transpired during investigation obtained anticipatory bail from this Court and thereafter he did not surrender and

for which warrant of proclamation and attachment has been issued against him. Therefore, the delay in trial is clearly attributable to the accused persons.

Having considered the submissions made on behalf of both the parties and that the delay is attributable to the accused persons and that the petitioner failed to overcome the restrictions imposed under Section 37 of the NDPS Act, the prayer for bail made by the petitioner is rejected.

Accordingly, CRM (NDPS) 720 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.)