

15.07.2025
Item no.21
Ct. No. 29
BD.

C.R.M. (NDPS) 722 of 2025

In Re:- An application for bail under section 439 of the Code of Criminal Procedure, 1973 corresponding to section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with STF Police Station Case No. 07 of 2022 dated 26.02.2022 under section 21(C)/29 of the NDPS Act, 1985.

In the matter of : ***Pran Basak @ Prem Basak*** Petitioner.

Mr. Raja Mukherjee ...for the Petitioner.

Mrs. Sreyashee Biswas
Mrs. Snigdha Saha ...for the State.

Learned counsel appearing on behalf of the petitioner submits that petitioner is in custody for about three years four months and in this case no videography or photography were done and the trial has not yet been concluded and as such nobody knows when the trial would be concluded and considering his long incarceration he may be released on bail on any terms and conditions.

Learned counsel appearing on behalf of the State vehemently opposed the bail prayer contending that huge quantity of brown sugar containing 1kgs. 340 gms. was recovered from the possession of the petitioner and prosecution proposes to examine two more witnesses and the next date is fixed on 23rd July, 2025 and they will be able to conclude the trial within September 2025.

Having heard learned counsel appearing on behalf of both the parties and that rigour of section 37 of the NDPS Act, clearly attracts in respect of the present petitioner in this case the prayer for bail is considered and rejected.

However, considering that the petitioner is suffering long incarceration for about three years four months the trial court is directed to conclude the trial within fourth week of September, 2025. If there be no substantial progress in the trial during the said period for which delay is not attributable to the accused persons, the petitioner will be at liberty to renew his bail prayer.

CRM (NDPS) 722 of 2025 is accordingly 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.)