

31.07.2025

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SR

Rejected

CRM (NDPS) 739 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with **Jalangi Police Station Case No.341 of 2024 dated 21.09.2024** under Sections 21(c)/25/29 of the NDPS Act, 1985.

And

In the matter of : **Rabiul Islam**

.... Petitioner.

Mr. Jisan Iqubal Hossain

...for the Petitioner.

Mr. Ranabir Roy Chowdhury

Ms. Suveni Banerjee

...for the State

Prosecution case is that 295 bottles of phenesedyl containing codeine phosphate was recovered from the possession of the petitioner and thereafter leading statement of the petitioner another 52 bottles of cough syrup containing codeine phosphate were recovered and seized.

Learned counsel appearing on behalf of the petitioner contended that the petitioner is in custody for about eleven months and the investigation has already been culminated into a charge-sheet and, as such, his further detention may not be required 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 huge quantity of narcotic substance was recovered from the possession of the petitioner and the charge-sheet submitted in this case only on 25th March, 2025 and the trial is about to begin and in

such circumstances, if they are released on bail, there is serious chance of their abscondence.

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

However, Trial Court is requested to expedite the trial and to come to a logical conclusion at an earliest possible date, keeping it in mind that the right to speedy trial is the fundamental right of the petitioner, guaranteed under Article 21 of the Constitution of India.

Accordingly, CRM (NDPS) 739 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.)