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Court
No.29. (D.Hira)
(Rejected)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (NDPS) 764 of 2025

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, in connection DRI Case No. **DRI/KZU/NDPS/ENQ-107/2023** dated **20.10.2023** under Sections 8 (c) read with 23/29/30 of the Narcotic Psychotropic Substance Act, 1985.

And

In the matter of: - **Madan Gopal Mishra.**

.....petitioner.

Ms. Chandrima Debnath,
Mr. Sahin Sultana.

...for the petitioner.

Mr. Aadeem Sulaiman,
Mr. TapanBhanja..

....for the respondent
Authority D.R.I.

The prosecution case is that four kgs of heroin was recovered from the possession of the present petitioner and he is in custody for about one year and ten months.

Learned counsel appearing on behalf of the petitioner submits that the prosecution proposes to examine seven witnesses out of which they could examine so far only four witnesses and it will take long time to conclude the trial and he further submits that the bail prayer of the petitioner was earlier rejected by this High Court on 30th August, 2024, when this Court directed the trial to conclude the trial within a period of six

months from the date of framing of charge. The charge of this case has been framed on 11th November, 2024 and inspite of expiry of six months as scheduled by this Court, the trial has not yet been concluded and as such he may be released on any terms and conditions.

Learned counsel appearing on behalf of the DRI opposed the bail prayer contending that commercial quantity of narcotic substance was recovered from the possession of the present petitioner and the petitioner is a resident of Madhya Pradesh and if he is released on bail, there is serious chances of abscondence.

He further submits that the prosecution proposes to examine seven witnesses out of which they have examined so far five witnesses and it will not take much time to conclude the trial.

Having heard the learned counsel appearing on behalf of the petitioner and the DRI and on perusal of the materials placed before me, I find that the rigour of Section 37 of the NDPS Act clearly attracts in the present case in respect of the present petitioner and as such prayer for bail is considered and rejected.

However, trial court is requested to make every endeavour for expeditious conclusion of the trial.

CRM (NDPS) 764 of 2025 is disposed of.

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

(Dr. Ajoy Kumar Mukherjee, J.)