

31.07.2025

Item No.87

Ct.No.29

rc.

Reject

C.R.M. (NDPS) No. 752 of 2025

In Re : An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with **Hili Police Station Case No. 145 of 2023** dated 18.08.2023 under Sections 21(c)/22(c)/23(c)/27A of the NDPS Act, 1985.

And

In Re : **Sanjay Chowdhury @ Sanjoy Chowdhury**
... Petitioner

Mr. Kaushik Choudhury ... for the Petitioner

Mr. Bitasok Banerjee
Ms. Mamata Jana ... for the State

Prosecution case is that 117 bottles of cough syrup containing codeine phosphate was recovered from the possession of the present petitioner.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is in custody for about 1 years 11 months and prosecution proposes to examine 14 witnesses out of they could examine so far only 6 witnesses. He further submits that another co-accused **Parimal Das @ Mrityunjay Das** was obtained bail from this Court in CRM (NDPS) No. 466 of 2025 and the petitioner is almost on the same footing and as such he may be released on bail on any terms and conditions.

Learned counsel on behalf of the State opposes to the bail prayer contending that huge quantity contraband was recovered from the possession of the present petitioner and

the present petitioner is not on the same footing with that of co-accused, **Parimal Das @ Mrityunjay Das** as nothing was recovered from the possession of the said co-accused. He further submits that the prosecution have already completed examination of 6 witnesses and within a short span of time they will be able to conclude examination of rest of the witnesses.

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

However, since the petitioner is in custody for a considerable period of time, the learned trial Court is requested to make every endeavour to conclude the trial at the earliest, preferably within a period of six months from the next date of hearing.

If the petitioner finds no substantial progress in trial during the said period for which the delay would not be attributable to the accused persons, the petitioner will be at liberty to renew his bail prayer.

Accordingly, CRM (NDPS) 752 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.)

