

19.08.2025  
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Rejected

**C.R.M. (NDPS) 769 of 2025**

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with NDPS case no. 10 of 2023 arising out of Purulia Town Police Station case no. 160 of 2023 dated 15.10.2023 under Sections 21(C)/29 of the NDPS Act 1985.

And

In the matter of : **Ajjul Molla**

**.... Petitioner**

Mr. Ayan Basu

Mr. Sk. Salim

Mr. Sumit Routh

...for the Petitioner

Mr. Sanjoy Bardhan

Ms. Debolina Das

...for the State

It is submitted on behalf of the petitioner that he is in custody for about one year and ten months. Initially, 2 kg. of codine phosphate was recovered from one Sarfaraz Qureshi @ Khureshi @ Hairan and following the statement of the said co-accused another 5.2 kgs. of codine phosphate was recovered from the joint possession of the present petitioner and another accused person. He further submits that while bail prayer of a co-accused person was rejected by this court on 19.6.2024, this court directed the Trial court to conclude the proceeding definitely within a period of one year from the date of communication of the order.

He further submits that the prosecution proposes to examine 25 witnesses out of which, not a single witness has been examined so far and as such, it is not ascertainable as to when the trial would commence and when it would conclude.

He further submits that the charge was framed on 31.1.2025 and apparently, there is no reason why the trial had not yet been commenced. This is also because the absconded co-accused is absconding from the very beginning and according to the prosecution case, he fled away from the spot. Accordingly, he prays for bail on any terms and conditions.

Learned counsel for the State vehemently opposed the prayer for bail contending that huge quantity of narcotic substance was recovered from the joint possession of the present petitioner. He further submits that the order of this court dated 19.6.2024 was communicated to the Trial court on 4.11.2024 and as such, the prosecution is supposed to get one year from that date. He further submits that the testimony of the vital witnesses is expected to be concluded within a short span of time. He further submits that the petitioner has criminal antecedents and he is involved in another case in connection with Baguiati police station case no. 333 of 2020 dated 28.9.2020 under Section 21(C) of the NDPS Act.

Having considered the submissions made on behalf of both the parties and also considering the materials placed before me, I find that the petitioner fails to overcome the restrictions imposed under Section 37 of the NDPS Act and as such, the prayer for bail made by the petitioner is rejected.

However, the Trial court is requested to expedite the trial and to make every endeavour to conclude the trial within a time framed by this court. If the petitioner does not find any

substantial progress in trial during the said period for which, the delay in trial would not be attributable to the present petitioner, he will be at liberty to renew his bail prayer. Both the parties will communicate the order to the Trial court immediately.

Accordingly, CRM (NDPS) 769 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.)**