

65 19.08.2025
Court
No.29. (D.Hira)
(Rejected)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (NDPS) 773 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, arising out of **Kandi** Police Station case no.**503/2024** dated **26.01.2024** under Sections **21(c)/29** of the Narcotic Psychotropic Substance Act, 1985.

And

In the matter of: - **Murtaza Alom @ Alam.**

.....petitioner.

Mr. Robiul Islam,
Sk. Jayed Hossain,
Mr. Masooq Rahaman..

...for the petitioner.

Mr. Subhamay Bhattacharya,
Ms. Debamita Mondal.

....for the State

The prosecution case is that the huge quantity of narcotic substance was recovered from two vehicles out of which one vehicle was driving by the present petitioner and from which 198 bottles of Phensedyl Syrup was recovered. The petitioner is in custody since 26.10.2024 and though the charge-sheet was submitted on 18.04.2025 but the charge has not yet been framed and nobody knows when the trial would commence and considering his period of detention he may be released on bail on any terms and conditions.

Learned counsel appearing on behalf of the State opposed the bail prayer contending that the commercial quantity of

narcotic substance was recovered from the possession of the present petitioner and the charge could not be framed as one of the co-accused is still absconding and for which the delay in trial is clearly attributable to the accused persons.

Having heard the learned counsel 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 and that the delay in commencement of trial is attributable in one of the co-accused who is absconding, the prayer for bail is considered and rejected.

However, trial court is requested to make every endeavour for expeditious disposal of the trial and if required by splitting the case record in respect of absconding accused.

CRM (NDPS) 773 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.)