

20.08.2025
Court No.29
Item No.18
(Rejected)

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (NDPS) 776 of 2025

ab

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 and/or Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 20.6.2025 in connection with NCB Crime No. 72/NCB/KOL/2021 dated 29.08.2021 corresponding to T.R. Case No. 45 of 2021 under Sections 8(C)/20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985;

And

In the matter of : **Kutibuddin**

...Petitioner.

**Mr. Ashok Das,
Mr. Toslim Ali,
Ms. Rituparna Bhadra,
Ms. Hasi Jana.**

...For the Petitioner.

**Mr. Arun Kumar Maiti (Mohanty),
Mr. R.R. Mohanti.**

...For the NCB.

1. The prosecution case is that 1344 Kgs. of Ganja were recovered from one Rashid Ali, who is on bail.
2. Learned Counsel appearing on behalf of the petitioner submits that the petitioner was arrested on the basis of co-accused statement and he is in custody for about 6½ months.
3. Mr. Maiti, learned Counsel appearing on behalf of the NCB, submits that the petitioner is the kingpin of the illicit narcotic trafficking gang busted in the instant case and as per the complaint, he is the supplier of the narcotic drugs seized in the instant case and as per the statement of the CDR analysis, the petitioner's involvement is found with the co-accused. Furthermore, the petitioner was absconding and avoiding to join investigation. Thereafter, the warrant of proclamation and warrant of attachment was issued against the petitioner and the NCB somehow apprehended him on 7th February 2025 and was brought to

Kolkata from Haryana on transit warrant. He further submits that due to his prolong absence, the charge could not be framed and the delay in trial is clearly attributable to the present petitioner. He also submits that the charge hearing would be made shortly and if he is released on bail, there is a serious chance of his further abscontion since he is the resident of different State.

4. Having heard the learned Counsel appearing on behalf of the petitioner and the NCB and also considering the past conduct of the petitioner towards the investigating agency and the Court, the prayer for bail is considered and rejected.
5. Accordingly, CRM (NDPS) 776 of 2025 is disposed of.
6. 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.)