

CRM (NDPS) 799 of 2025

An application for bail under Section 439 of the Code of Criminal Procedure, 1973 read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Baduria Police Station Case No. 439/2024 dated 01.09.2024 under Sections 21 (c) /29 of the NDPS Act, 1985.

**Milon Roy @ Milan Ray & Anr.
Vs.
The State of West Bengal**

**Ms. Sabrina Parveen
.....For the Petitioners
Mr. Avishek Sinha
Ms. Pallavi Priyadarshee
....For the State**

Prosecution case is that 750 litres of codeine mixture were seized from a vehicle where both the petitioners were found. The petitioner is in custody from 1st September, 2024 and the charge has not yet been framed and nobody knows when the trial would commence and as such considering his period of detention which is almost about one year, he may be released on bail on any terms and conditions. Petitioner further submits that though he had written in Bengali in the Arrest Memo that the ground of arrest was informed to him but the Arrest-cum-Inspection Memo was filled up in English and as such he was not aware about the ground of arrest.

Learned counsel appearing on behalf of the State

opposed the bail prayer contending that huge quantity of narcotic substance was recovered from the possession of the present petitioner and that trial is expected to be commenced soon.

Having heard the learned counsel appearing on behalf of the petitioner and the State and that the restriction imposed under Section 37 of the NDPS Act clearly attracts in respect of the present petitioner, his prayer for bail is considered and rejected.

Accordingly, CRM (NDPS) 799 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.)