

04.09.2025
257.
Bd.
Ct.29
(Rejected)

C.R.M. (NDPS) 800 of 2025

In Re:- 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 filed in connection with NDPS Case No. 109 of 2024 arising out of Kaligunj Police Station Case no. 1049 of 2024 dated 28.11.2024 under Sections 21(c)/29 of the NDPS Act, 1985.

And

In the matter of : **Jagjiwan Sing Munda Petitioner.**

Mrs. Karabi Roy ...for the Petitioner

Ms. Baisali Basu
Mr. Yaser Ammar Ismail ...for the State

Prosecution case is that 8.5 Kgs. of Opium was recovered from the exclusive possession of the present petitioner and the present petitioner is in custody for about 287 days.

Learned counsel appearing on behalf of the petitioner submits that the prosecution proposes to examine eight witnesses and till date they could not examine a single witness and as such there is hardly any chance of early conclusion of trial. Considering the period of incarceration suffered by the present petitioner 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 commercial quantity of narcotic substance was recovered from his possession and that the charge-sheet was filed on 23rd May, 2025 and the

charge was framed on 27.08.2025. It is expected that the trial would be concluded within a short span of time.

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

However, the trial court is requested to expedite the trial and to make every endeavour to conclude the trial preferably within a period of ten months from the next date of hearing. If the petitioner finds no substantial progress in trial for which the delay in trial would not be attributable to the petitioner, he will be at liberty to pray for renewal of his bail prayer.

Both the parties are directed to communicate this order to the trial court at once.

Accordingly, CRM (NDPS) 800 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.)