

27.08.2025

32

SB

Rejected

C.R.M. (NDPS) 827 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with N case no. 125 of 2024 arising out of NCB Crime no. 20/NCB/KOL/2024 under Sections 8(C) read with Section 20(b)(ii)(c), 25 & 29 of the NDPS Act 1985.

And

In the matter of : **Ajijar Miya & Anr.**

.... Petitioners

Mr. Kajal Mukherjee

Mr. Bikash Chakraborty

Ms. Pallavi Mondal

Mr. Sudepto Kr. Basu

...for the Petitioners

Mr. Arun Kumar Maiti(Mohanty)

Mr. R.R. Mohanty

...for the NCB

Learned counsel for the petitioners submits that the petitioners are in custody for about nine months and 38 kgs. of ganja was recovered from the joint possession of the present two petitioners and that the prosecution proposes to examine nine witnesses out of which they could not examine a single witness so far and as such, nobody knows when the trial would be concluded and considering his period of detention, they may be granted bail on any terms and conditions.

Mr. Maiti, learned counsel for the NCB strongly opposes the bail prayer contending that commercial quantity of narcotic substance was recovered from the joint possession of the present two petitioners and that the trial has already been commenced and the charge has been framed on 7th August,

2025 and the next date is fixed on 27th October, 2025 for recording evidence of the prosecution witnesses and it is expected that the trial would be concluded within a short span of time. In such circumstances, if he is released on bail, there is serious chance of his abscondance for which, the trial will be get delayed.

Having considered the submissions made on behalf of both the parties and on perusal of the materials placed before me including the seizure list, I find that present two petitioners fail to overcome the restrictions imposed under Section 37 of the NDPS Act, the prayer for bail made by the present two petitioners is rejected.

However, the Trial court is requested to expedite the trial and to come to a logical conclusion at the earliest. Both the parties will communicate the order to the Trial court immediately.

Accordingly, CRM (NDPS) 827 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.)