

27.11.2025
Court No.35.
D/L. 99.
Rakib
(Rejected)

CRM (NDPS) 884 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with T.R. (NDPS) case no. 10 of 2024 arising out of NCB Crime no. 11 of 2024 arising out of NCB Crime No. 11/NCB/KOL/2024 dated 19.07.2024 under Sections 20(b)(ii)(c)/25/27(A)/28/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.
And

In the matter of : Biswajit Das

.....Petitioner.

Ms. Sabrina Parveen
.....for the Petitioner.

Mr. Krishnendu Bhattacharya
Mr. Priyankar Ganguly
.....for the Union of India (NCB)

Learned advocate appearing for the petitioner submits that the petitioner is innocent of the charges and he has been detained for a period of one year four months and sixteen days. It has also been submitted that there is no possibility of the trial being concluded in near future and unnecessarily the petitioner is languishing in jail.

Learned advocate appearing for the NCB submits that 137.8 kgs of ganja were recovered, other accused persons were absconding, as such it is not possible for the prosecution to progress with the case.

Having considered the quantum of recovery in the present case, prima facie, I am of the opinion Section 37 of the

NDPS Act is attracted. Consequently, the prayer for bail of the petitioner is rejected.

However, the learned Special Court is directed to proceed with the case in such a manner that if the absconding accused persons are not traced learned Special Court will split up the trial of the case and take steps for consideration of charges.

With the aforesaid observations CRM (NDPS) No. 884 of 2025 is **dismissed**.

Report so submitted by the Union of India be kept with the record.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)