

16.09.2025
182
SB
Rejected

C.R.M. (NDPS) 869 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Special case no. 04 of 2024 arising out of Kaliachak Police Station case no. 03 of 2024 dated 02.01.2024 under Sections 21(c)/27A/29 of the NDPS Act 1985.

And

In the matter of : **Md. Emrail Sk.**

.... Petitioner

Md. Wasim Akram

...for the Petitioner

Mr. Ranadeb Sengupta

Mr. Debanshu Ghorai

...for the State

Memo of evidence submitted by the State is taken on record.

Prosecution case is that 520 bottles of cough syrup containing codeine phosphate was recovered from the house of the present petitioner and the petitioner is in custody since 2nd January, 2024.

Learned counsel for the petitioner submits that in this case, though the charge was framed on 14th January, 2025 but the prosecution could not examine a single witness till date and the last date was fixed on 22.8.2025, when the prosecution again prayed for time and as such, nobody knows when the trial would be concluded and as such, he may be released on bail on any terms and conditions.

Learned counsel for the State opposes the bail prayer contending that much above commercial quantity of narcotic

substance was recovered from the possession of the present petitioner and the prosecution proposes to examine eight witnesses and it will not take much time to conclude the trial.

Having considered the submissions made on behalf of both the parties and the materials placed before me, I find that the rigour of Section 37 of the NDPS Act clearly attracts in respect of the present petitioner in the instance case, the prayer for bail made by the petitioner is rejected.

Accordingly, CRM (NDPS) 869 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.)