

19.09.2025
Sl. no. 249
Ct. No. 29
P.M.

C.R.M. (NDPS) 873 OF 2025

In Re : An application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 in connection with Katwa Police Station Case No. 167 of 2025 dated 05.03.2025 under Sections 15(c)/18(b) of the NDPS Act.

And

In the matter of : **Ansar Sk. & Anr.**

.... Petitioner

Mr. Soumyojit Das Mahapatra,
Mr. Palash Bapari,
Mr. Abhijit Bhattacharyya
.... For the petitioner
Mr. Koushik Kundu,
Mr. Aritra Bhattacharya
... for the State

The prosecution case is that the popy cultivation was made on the land of the present petitioner and 489.625 k.g. of popy plants along with flower and seeds were recovered and the present petitioner have put their signature in the seizure, list when the search and seizure was made and he is in custody since 05.03.2025. Charge sheet has already been submitted and the FSL report is positive.

Learned counsel appearing on behalf of the petitioner submits that the petitioners are no way connected with the alleged offence and they are neither owner nor Bargadar of the land wherefrom contraband was recovered. Their names have also not been recorded in connection with the said property as occupier or bargadar. They are in custody for about six months

and as such the rigour of Section 37 of NDPS Act does not attract in respect of the present petitioner and considering their period of detention they may be released on bail on any terms and conditions.

Having heard the learned counsel appearing on behalf of the petitioner and the State and also on perusal of the materials on record and in the Case Diary, there are reason to believe petitioners' involvement with the alleged offence and as such I find that the petitioners have failed to overcome the restrictions imposed under Section 37 of the NDPS Act.

The prayer for bail made by the petitioner is rejected.

CRM (NDPS) 873 of 2025 stands disposed of.

However Trial court is requested to expedite the trial and to make every endeavour to come to a logical conclusion at the earliest.

Urgent photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all usual requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)