

12.08.2025
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Rejected

C.R.M. (NDPS) 887 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection NDPS case no. 72 of 2023 arising out of Jalangi Police Station case no. 184 of 2023 dated 7.6.2023 under Sections 186/188 of the Indian Penal Code and Sections 21(c)/29 of the NDPS Act, 1985.

And

In the matter of : **Ajjul Mondal @ Biswas**

.... Petitioner

Mr. Manas Kumar Das

Ms. Shabana Hasin

Ms. Samima Akter

...for the Petitioner

Mr. Koushik Kundu

Mr. Atanu Ghosh

...for the State

The prosecution case is that 300 bottles of phensedyl syrup containing codine phosphate was allegedly recovered from a place of border area within two gunny bags and the name of the petitioner transpired during investigation.

Learned counsel for the petitioner submits that nothing was recovered from his possession and he is in custody since 21st June, 2025. He further submits that two other co-accused persons have already been granted bail by this court and he is almost on the same footing and as such, he may be released on bail on any terms and conditions.

Learned counsel for the State opposed the prayer for bail contending that the petitioner was absconding for about two and half years and thereafter, police could arrest him after issuance of warrant of proclamation and attachment. He

further submits that 19th August, 2025 is fixed for framing of charge before the court below. In such circumstances, if he is released on bail, there is serious chance of his abscondance and trial would be delayed. He further submits that the delay in trial is clearly attributable to the present petitioner who was absconding for a considerable period of time and his conduct shows he is not on the same footing with other accused.

Having considered the submissions made on behalf of both the parties and also considering the previous conduct of the petitioner and that the case is almost ready for trial, the prayer for bail made by the petitioner is rejected at this stage.

Accordingly, CRM (NDPS) 887 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.)