

**19.11.2025**  
Court No.35.  
D/L. 21.  
Kausik  
**(Rejected)**

**CRM (NDPS) 938 of 2025**

In Re: An Application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of Criminal Procedure, 1973 in connection with Gaighata Police Station Case No. 1038 of 2024 dated 10.11.2024 under Sections 21(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 read with Section 221/121(2)/132 of Bharatiya Nyaya Sanhita, 2023.

And

**In the matter of : Rakesh Saha**

**.....Petitioner.**

Mr. Antarikhya Basu  
Ms. Madhumita Basak  
.....for the Petitioner.

Mr. Abhishek Sinha  
Mr. Debarshi Brahma  
.....for the State.

Learned advocate appearing on behalf of the petitioner submits that 500 bottles of Phensedyl are the subject matter of the case. The petitioner is in custody for 1 year and 1 month and there has been no progress in the case. There are 6 witnesses relied upon by the prosecution to prove its case.

It has also been contended that the charge sheet was submitted without the chemical examiner's report. As such there has been no progress of the case.

On the other hand, learned advocate for the State submits that the chemical examiner's report was submitted on or about July 2025. Consequently, charges have been framed on or about 16<sup>th</sup> September, 2025. The evidence of the case is to commence very soon. Having considered the steps taken by

the prosecution, as a matter of last chance, 3 months time is granted to the prosecution from the next date so fixed to conclude the prosecution evidence. In the alternative, the petitioner would be at liberty to approach this Court for renewing the prayer for bail.

At this stage, CRM (NDPS) 938 of 2025 is dismissed.

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.)**