

12.8.2025

akb

Sl. 30

Ct.29

Rejected

CRM (NDPS) No. 952 of 2025

In re: An application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with NDPS case
no. 111 of 2024 arising out of Hogolberia Police Station case no. 296
of 2024 dated 04.12.2024 under Sections 21(C)/25/29 of the NDPS
Act, 1985.

And

In re: Biplab Biswas @ Raju

... petitioner

Mr. Amitesh Tripathi

Ms. Sayantika Sahu

...for the petitioner

Mr. Joydeep Roy

Ms. Mamata Jana

...for the State

Learned Counsel appearing on behalf of the petitioner submits
that 1400 bottles of cough syrup containing codeine phosphate was
allegedly recovered from a car.

He was merely a passenger in the car which was running from
Karimpur to Jalangi and it was escorted by a motor-cyclist.

However, he has no involvement with the alleged offence but he
is in custody for 90 days. He further submits that investigation has
already been culminated into a charge sheet and as such there would
be no requirement to detain him any further in the custody and he
may be released on bail on any terms and conditions.

Learned Counsel appearing on behalf of the State vehemently
opposed the bail prayer contending that the entire search and seizure
was videographed and two independent witnesses have also named
the present petitioner. One Bappaditya Samanta is the owner of the
car, he is absconding and during investigation the prosecution
detected CDR, which discloses continuous conversation in between
the driver and the present petitioner. He further submits that the
motor-cycle which escorted the said vehicle is owned by the present

petitioner. He further submits that the delay in trial is attributable to the accused persons and next date before the Trial Court is on 1st September, 2025.

Having considered the submissions made on behalf of the petitioner and the State and also on the basis of materials placed before me, I find that the petitioner failed to overcome the restrictions imposed under Section 37 of the NDPS Act and as such, the prayer for bail is considered and rejected.

However, the Trial Court is requested to expedite the trial and if required he will split the record in respect of the absconding accused persons and will proceed with the trial in accordance with law.

The application, being CRM (NDPS) 952 of 2025 is accordingly 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.)