

25.09.2025
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Rejected

C.R.M. (NDPS) 957 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. 06 of 2025 arising out of Berhampore Police Station case no. 2126 of 2024 dated 28.12.2024 under Sections 21(c)/29 of the NDPS Act 1985.

And

In the matter of : **Mustak Ahmed @ Mondal @ Nantu**
.... Petitioner

Ms. Sabana Hasin

...for the Petitioner

Mr. Ranabir Roy Chowdhury

Mr. Mainak Gupta

...for the State

Learned counsel for the petitioner submits that 10,000 bottles of cough syrup containing codeine phosphate was recovered from the possession of the one Bolero pick up van but the present petitioner was found as a driver in the alleged escort car of the said Bolero pick up van and as such, he is innocent and has got no involvement with the alleged offence. He further submits that he is in custody for about 272 days and the investigation has already been ended in charge-sheet and as such, he may be released on bail on any terms and conditions.

Learned counsel for the State vehemently opposed the bail prayer contending that huge quantity of contraband was recovered from two vehicles out of which the petitioner was a driver of one vehicle and that petitioner had also put signature in the seizure list.

Having considered the submissions made on behalf of both the parties and considering the 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 made by the petitioner is rejected.

The Trial court is requested to make every endeavour for expeditious disposal of the case, keeping it in mind that the petitioner is in custody and to make every endeavour to conclude the trial at the earliest without granting any unnecessary adjournment to either of the parties. Both the parties will communicate this order before the court below at once.

Accordingly, CRM (NDPS) 957 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.)