

25.09.2025
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Rejected

C.R.M. (NDPS) 976 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. 11 of 2024 arising out of Chakdah Police Station case no. 112 of 2024 dated 5.2.2024 under Sections 21(c) of the NDPS Act, 1985.

And

In the matter of : **Avijit Das @ Ledu @ Gedu**

.... Petitioner

Mr. Achin Jana

Mr. Prosenjit Ghosh

Mr. Bhaskar Dalui

Ms. Chetna Rustagi

...for the Petitioner

Mr. Antarikhya Basu

Mr. Sachit Talukdar

...for the State

Prosecution case is that 60 bottles of cough syrup containing codeine phosphate was recovered from the possession of the present petitioner.

Learned counsel for the petitioner submits that the petitioner is in custody for about one year and eight months and the prosecution proposes to examine 16 witnesses out of which, they could examine so far only three witnesses and the examination of PW-4 is continuing. The next schedule is fixed in the month of December, 2025.

Learned counsel for the State opposed the prayer for bail contending that the charge was framed on 25th July, 2024 and the evidence of the prosecution witnesses is going on. He further submits that commercial quantity of narcotic

substance was recovered from the possession of the present petitioner and the videography was done.

Having considered the submissions made on behalf of both the parties and that 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.

However, the Trial court is requested to make every endeavour to conclude the trial preferably within a period of six months from the next date of hearing without granting any unnecessary adjournment to either of the parties. In the event, no substantial progress is noted in the trial during the said period for which, the delay would not be attributable to the accused person, the petitioner will be at liberty to renew his bail prayer. Both the parties are directed to communicate this order to the trial court immediately.

Accordingly, CRM (NDPS) 976 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.)