

27.8.2025

akb

Sl. 24

Ct.29

Rejected

CRM (NDPS) No. 977 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 and/or and application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with NCB Crime No. 21 /NCB / KOL / 2016 corresponding to T.R. Case No. 10of 2016 under Section 15 ©/29 of the NDPS Act, 1985.

And

In re: Anisur Sk.

... petitioner

Sk. Toslim Ali

...for the petitioner

Mr. Arun Kumar Maiti (Mohanty)

Mr. R.R. Mohanty

...for the NCB

It is submitted on behalf of the petitioner that the petitioner is in custody for about 1 year 8 months and that nothing was recovered from his possession. He further submitted that charge sheet has already submitted in this case on 12th July, 2022 and charge has not yet been framed. He further submitted that the other accused persons on Court bail and since there is an uncertainty in commencement of trial, he may be released on bail on any terms and conditions.

Learned Counsel appearing on behalf of the NCB submits that 3400 kgs. of poppy straw was recovered from a vehicle, which is owned by the present petitioner. He further submits that the petitioner absconded for a long time and for which the trial has got delayed. He further submits that it is expected that the trial would be concluded within a short span of time.

Having heard learned Counsel appearing on behalf of the petitioner and the NCB and that the petitioner is the admitted owner of the vehicle wherefrom commercial quantity of contraband was recovered and he had conscious possession in respect of the narcotic substance and as such he failed to overcome the restrictions imposed

under Section 37 of the NDPS Act and considering all these his prayer for bail stands rejected.

However, the Trial Court is requested to expedite the trial since the petitioner is in for a considerable period of time.

The application, being CRM (NDPS) 977 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.)