

26.08.2025
29
SB
Rejected

C.R.M. (NDPS) 994 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. 5 of 2024 arising out of Goalpokher Police Station case no. 30 of 2024 dated 29.01.2024 under Sections 21(C) of the NDPS Act 1985.

And

In the matter of : **Md. Ali & Anr.**

.... Petitioners

Mr. Navanil De
Mr. Srijan Ghosh

...for the Petitioners

Ms. Anasuya Sinha
Mr. Aritra Bhattacharya

...for the State

Report submitted by the State is taken on record.

Learned counsel for the petitioners submits that 100 bottles of cough syrup containing codeine phosphate was allegedly recovered from the joint possession of the present two petitioners. He further submits that the petitioners are in custody since 29th January, 2024. He further submits that the charge was framed on 4.10.2024 and since then, 12 dates fixed for evidence but only two out of 12 witnesses could be examined so far by the prosecution and as such, nobody knows when the trial would be concluded and they may be granted bail on any terms and conditions.

Learned counsel for the State opposed the prayer for bail contending that commercial quantity of narcotic substance was recovered from the joint possession of the present two petitioners and that the trial has already been

commenced and it is expected that the trial would be concluded within a short span of time.

Having considered the submissions made on behalf of both the parties and that the rigour of Section 37 of the NDPS Act clearly attracts in respect of the present two petitioners in the instant case, the prayer for bail made by the petitioners is rejected.

However, the Trial court is requested to expedite the trial and to make every endeavour to conclude the trial preferably within a period of six months from the next date of hearing. If the petitioners do not find any substantial progress in trial during the said period for which, the delay in trial would not be attributable to the present two petitioners, they will be at liberty to renew their bail prayer. Both the parties will communicate the order to the Trial court immediately.

Accordingly, CRM (NDPS) 994 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.)