

3.9.2025
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SB
Rejected

C.R.M. (NDPS) 999 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with T.R. case no. 01 of 2024 arising out of Sankrail Police Station case no. 38 of 2024 dated 13.1.2024 under Sections 21(b)(ii)(c) of the NDPS Act 1985.

And

In the matter of : **Nimai Roy @ Nadu**

.... Petitioner

Mr. Toslim Ali

...for the Petitioner

Mr. Joydeep Roy,
Mr. Rajesh Jana

...for the State

Prosecution case is that 41.550 kgs of ganja was recovered from the joint possession of the three accused persons and the present petitioner is in custody since 13th January, 2024.

It is submitted on behalf of the petitioner that in this case, charge-sheet was submitted on 9th June, 2024 and the charge was framed on 13th August, 2024. He further submits that the prosecution proposes to examine 20 witnesses out of which they could not examine a single witness till date. Accordingly, it is uncertain as to when the trial would be concluded and considering his period of detention, he may be released on 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 petitioner and two other accused persons and that 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 also considering the materials placed before me, I find that the rigour of Section 37 of the NDPS Act clearly attracts in respect of the present petitioner in the instant case and as such, the prayer for bail made by the petitioner 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 petitioner does not find any substantial progress in trial during the said period for which, the delay in trial would not be attributable to any of the accused, he will be at liberty to renew his bail prayer. Both the parties will communicate the order to the Trial court immediately.

Accordingly, CRM (NDPS) 999 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.)