

25.09.2025
176.
Bd.
Ct.29
(Rejected)

C.R.M. (NDPS) 1008 of 2025

In Re:- An application for Bail under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to section 439 of the Code of Criminal Procedure, 1973 filed in connection with NDPS Case No. 116 of 2024 arising out of Chapra Police Station Case No. 1258 of 2024 dated 13.12.2024 under Sections 21(C)/29 of the NDPS Act, 1985.

And

In the matter of : **Sahidul Sekh Petitioner.**

Mr. Sabir Ahmed
Mr. Amanul Islam
Mr. Sourav Mukherjee
Mr. Tasmin Ahmed
Mr. Dhiman Banerjee

...for the Petitioner

Mr. Antariksho Basu
Mr. Raju Mondal

...for the State

Mr. Ahmed, learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and in no way involved with the alleged offence and investigation has already been culminated into a charge-sheet and the prosecution proposes to examine 14 witnesses out of which the examination of P.W.1 is still continuing. He is in custody for about 9 months and considering the uncertainty as to when the trial would conclude and also considering the period of detention already suffered by the petitioner he may be released on bail on any terms and conditions.

Learned counsel appearing on behalf of the State opposed the bail prayer and contended that the petitioner was driver of the vehicle which was coming from Assam side with a loaded rubber packet, also loaded with contraband substance

from Coochbehar and thereafter when the vehicle was intercepted total 108 Kg. 900 gms. of ganja was recovered from the said vehicle. Therefore, the petitioner has total involvement in the transportation of ganja by the said vehicle and the trial has already been started and it will not take much time to conclude the trial.

Having heard learned counsel appearing on behalf of the petitioner and the State and the materials placed before me discloses that the petitioner prima facie failed to overcome the rigour of section 37 of the NDPS Act, and as such the prayer for bail made by the petitioner is considered and rejected.

The trial court is requested to expedite the trial and to make every endeavour to conclude the trial at the earliest without granting any unnecessary adjournment to either of the parties.

Both parties are directed to inform the court below at once.

Accordingly, CRM (NDPS) 1008 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.)