

18.09.2025
Ct. No.29

Sl. No.192
Mujahid
(Rejected)

C.R.M. (NDPS) 1051 of 2025

In Re: An application for bail under Section 483 of the B.N.S.S., 2023 filed on 19.08.2025 in connection with Ranaghat P.S. Case No.230 of 2024 dated 29.03.2024 under Sections 18(b)/25/29 of the NDPS Act, 1985.

And

In the matter of: **Jagdish Chakma**

....Petitioner

Mr. Joy Chakraborty,
Mr. Sandip Dindia

...for the petitioner

Mr. Joydeep Roy,
Ms. Afreen Begum

...for the State

1. The report submitted by STF, WB is taken on record.
2. Learned counsel appearing on behalf of the petitioner submits that nothing was recovered from his possession and he is in custody for about one year four months. He further submits that according to prosecution case 9 kg of opium which was sent through currier service was recovered from one Raju Mandal. He further submits that this is renewal of his bail prayer and his earlier bail prayer was rejected on 6.03.2025 by this Court when the prosecution could examine only two witnesses and till date prosecution could not examine any further witness and as such nobody knows when the trial would be concluded and considering his period of detention, he may be released on bail on any terms and conditions.

3. Learned counsel appearing on behalf of the State opposed to the bail prayer contending that accused Sujit Kumar Chakma, present petitioner Jagdish Chakma and Dharma Kumar Chakma sent the currier to the Raju Mandal through DTDC and during investigation, It has been clearly surfaced that the petitioner received money after selling the contraband. He further submits that prosecution proposes to examine only eight witnesses and out of which two witnesses have already been examined and the date for examination of PW-3, PW-4 and PW-5 have been scheduled on 22nd September, 23rd September and 24 September of this month and it is expected that it will not take much time to conclude the trial. He further submits that the delay in trial is also attributable to the petitioner which is reflected from the report submitted by STF, WB.

4. I have considered the submissions made on behalf of the petitioner and the State. While his prayer for bail was rejected on 6.3.2025, A Division Bench of this Court was of clear view that petitioner's prima facie involvement with the alleged offence has been established. It further appears that trial is in progress and considering the fact that the rigour of Section 37 of the NDPS Act clearly attracts in respect of the present petitioner, the prayer for bail made by the petitioner is rejected.

5. However, Trial Court is requested to expedite the trial and to make every endeavour to conclude the trial preferably within a period of eight 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 will not be attributable to the accused persons, the petitioner will be at liberty to pray for renewal of his bail prayer. Both the parties are directed to communicate the order to the Trial Court at the earliest.

6. Accordingly, CRM (NDPS) 1051 of 2025 is disposed of.

7. Urgent photostat certified copy of this order, duly applied, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)