

M/L 490
04.12.2025
Bpg.
dismissed

C.R.M. (NDPS) 1080 of 2025

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973/ under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Kaliachak Police Station Case No.1508 of 2023 dated 23.11.2023 under Sections 21(c)/27(a)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985;

Md. Alam Sk.
Versus
The State of West Bengal

Ms. Sabrina Parveen.
...for the petitioner.

Ms. Faria Hossain
Mr. Md. Kutubuddin.
...for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 2 years 9 days and there has been recovery of 376 grams of brown sugar. The charges till date have not been framed and there is no possibility of the trial commencing in near future.

Learned advocate for the State submits that there are 8 accused persons. Some of the accused persons were granted anticipatory bail. Consequently, they have thereafter started evading the court process. As such, there is a delay in trial and the reasons for such delay are beyond the control of the prosecution.

Learned trial court is directed to ensure that in case any of the accused is not present, in that case, learned trial court would issue harsher process of law considering the delay in the trial and that for other accused one of the accused is facing custodial trial.

All efforts be taken up for overcoming the consideration of charges within a period of three months from the next date concerned and within the next three months thereafter the seizure list witnesses be examined. Petitioner will renew his prayer for bail after the said stage is over.

Accordingly, CRM(NDPS) 1080 of 2025 is dismissed at this stage.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)