

04.12.2025

Court No.35.

M/L. 493.

Rakib

(rejected)

CRM (NDPS) 1085 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Baishnabnagar Police Station case no. 1190 of 2024 dated 29.10.2024 under Sections 21(c)/27A/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : Sukur Ali

.....Petitioner.

Ms. Sabrina Parveen

.....for the Petitioner.

Mrs. Faria Hossain

Mr. Sobhan Gani

.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner was arrested on 29.10.2024 on the accusation of recovery of 516 grams of brown sugar. Petitioner submits that the grounds of arrest were not supplied to the petitioner and as such he is entitled to grant the privilege of bail for such non-compliance.

Learned advocate for the State opposes the prayer for bail.

Having regard to the judgment of the Hon'ble Supreme Court in Mihir Rajesh Shah -Vs. - State of Maharashtra and Anr (Criminal Appeal no. 2195 of 2025) wherein the issues relating to the grounds of arrest has been held to be prospective, I am not inclined to release the petitioner on bail. Consequently, the prayer for bail of the petitioner is rejected.

Accordingly, CRM (NDPS) 1085 of 2025 is **dismissed**.

Petitioner is in custody for 13 months, accordingly, learned trial Court is directed to expedite the process of law so that the trial can be taken to its logical conclusion within a reasonable period of time.

All parties shall act in terms of server copy of the order 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 with all requisite formalities.

(Tirthankar Ghosh, J.)