

19.12.2025

Item No.DL38
Court No. 35

REJECTED

Asraf, A.R.(Ct.)

In the High Court at Calcutta
Criminal Miscellaneous Jurisdiction
Appellate Side

Case No. **CRM (NDPS) 1092 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 Palashipara Police Station Case No. 73 of 2025 dated 13.02.2025 under Section 21(c) of the Narcotics Drugs and Psychotropic Substances Act, 1985.

-AND-

In the matter of :

HARIPADA MANDAL

.....Petitioner

For the Petitioner :

Mr. Priyankar Ganguly
Ms. Shalini Bairagi

...Advocates

For the State :

Mr. Joydeep Roy, Jr. Govt. Advocate
Ms. Kanchan Roy

...Advocates

1. Learned advocate appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in connection with the instant case and is in custody for more than ten months. There is no possibility of the trial commencing or concluding in near future. As such, the petitioner may be released on bail.
2. On the other hand, learned advocate appearing for the State submits that 310 gms of brown sugar was recovered from the possession of the present petitioner. As such, he may not be released on bail.

3. In view of the materials available in the case diary, I am of the opinion that the rigors of Section 37 of the Narcotics Drugs and Psychotropic Substances Act, 1985 is attracted.
4. As such, the prayer for bail is **rejected** at this stage.
5. Accordingly, **CRM(NDPS) 1092 of 2025** is **dismissed**.
6. However, it is pointed out that the next date has been fixed on 5th March, 2026 before the learned Trial Court. It is directed that the learned Trial Court would on the next date so fixed or within a week thereafter would overcome the stage of consideration of charges and complete the examination of the seizure list witnesses within three months thereafter.
7. The petitioner would be at liberty to renew his prayer for bail after completion of the examination of seizure list witnesses.
8. Case diary be returned to the learned advocate appearing for the State.
9. All parties shall act on the basis of server copy of this order duly downloaded from the official website of this Court.
10. Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Tirthankar Ghosh, J.)