

10.12.2025
Court No.35.
M/L. 535.
Rakib
(rejected)

CRM (NDPS) 1152 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 Kaliachak Police Station case no. 98/2025 dated 23.01.2025 under Sections 21(C)/27A/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and 25(1-B(a))/27/35 of the Arms Act and Section 61(2) of the Bharatiya Nyaya Sanhita, 2023
And

In the matter of : Indrajit Mandal.

.....Petitioner.

Mr. Arup Kumar Bhowmick
.....for the Petitioner.
Mr. Joydeep Roy, Jr. Govt. Adv,
Ms. Trina Mitra
.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody on accusation of 230 bottles of codeine phosphate being recovered. It has been submitted that the petitioner has been implicated on the basis of statement of co-accused and he is innocent of the charges. Petitioner is in custody for 115 days and there is no possibility of the trial commencing very soon, as such the petitioner may be released on bail.

Learned advocate for the State opposes the prayer for bail and submits that there are CDR which reveals connection between the present petitioner and another co-accused on the date of the alleged offence. Further other accused persons are absconding for which there is no progress in the case.

Having considered the fact that the petitioner is in custody for 115 days and it has been submitted that other accused persons are absconding, I am not willing to release the petitioner on bail at this stage.

Accordingly, the prayer for bail of the petitioner in CRM (NDPS) 1152 of 2025 is **dismissed**.

However, the learned trial Court is directed to exhaust the process of law, split up the trial of the case and thereafter overcome the stage of consideration of charges. Immediately after the charges are framed the petitioner be released on bail on such terms and conditions as the learned Special Court deems fit and proper to ensure the appearance of the petitioner in course of the trial.

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.)