

10.12.2025
ML 530
December 2025
Ct.No.35
Susanta/Sandip
Rejected

IN THE HIGH COURT AT CALCUTTA

CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (NDPS) 1140 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Kaliachak Police Station Case No. 1770 of 2024 dated 03.11.2024 under Sections 21 (c)/27A/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Md. Samim Momin**

... Petitioner.

Md. Wasim Akram,
Ms. Sabrina Parveen

... For the Petitioner.

Ms. Abhisek Sinha,
Ms. Ratna Ghosh

... For the State.

Learned advocate appearing for the petitioner submits that 600 bottles of Phensedyl were allegedly recovered from the possession of the present petitioner and he is in custody for 1 year 1 month. Additionally it was pointed out that investigation of the case has concluded. Charge-sheet has been submitted, charges have been framed and the evidence has already commenced.

Learned advocate for the State opposes the prayer for bail and submits that the petitioner is the principal accused, as such he may not be released on bail.

I have taken into account over all circumstances and I am of the view that the petitioner should wait till the seizure list witnesses are examined. The prayer for bail of the

petitioner being CRM (NDPS) 1140 of 2025 is dismissed at this stage.

However, the learned Special Court is directed to complete the examination of the seizure list witnesses, preferably within a period of three months from the next date fixed for hearing and after examination of the seizure list witnesses the Special Court shall release the petitioner on bail on such terms and conditions as it deems fit and proper after ensuring his appearance in the trial of the case.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)