

**10.12.2025**

Court No.35.

M/L. 538.

Rakib

**(Allowed)**

**CRM (NDPS) 1160 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 Raninagar Police Station case no. 376 of 2024 dated 27.06.2024 under Sections 21(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

**In the matter of : Bijan Mondal @ Guddu.**

**.....Petitioner.**

Mr. Moyukh Mukherjee

Ms. Sarmistha Basak

.....for the Petitioner.

Mr. Rudradipta Nandy

Mr. Sujan Chatterjee

.....for the State.

Learned advocate appearing for the petitioner submits that the subject matter of the case related to 119 bottles of phensedyl being recovered and the petitioner being detained in custody for one year five months. There is hardly any possibility of the trial concluding very soon and as such the petitioner may be released on bail.

Learned advocate for the State opposes the prayer for bail and submits that charge has already been framed and two of the witnesses out of the proposed sixteen witnesses have been examined. Petitioner's bail was earlier rejected by a Coordinate Bench. The Hon'ble Supreme Court also rejected the bail of the petitioner in Special Leave to Appeal (Crl.) no(s). 6618/2025.

The order of the Hon'ble Supreme Court reflects that the same was passed on 05.05.2025 and there was a specific observation in the said order which is as follows:

*“However, liberty is granted to the petitioner to renew the prayer for grant of regular bail, if the trial is not proceeding expeditiously.”*

Having considered the manner in which the trial is progressing, I am of the view that there is no possibility of the trial concluding very soon. As such, considering the period of detention of the present petitioner, I am inclined to release the petitioner on bail. Accordingly, the prayer for bail of the petitioner is allowed.

As such, petitioner namely, **Bijan Mondal @ Guddu** shall be released on bail upon furnishing bond of Rs. 20,000/- (Rupees Twenty Thousand only), with two sureties of Rs. 10,000 (Rupees Ten Thousand only) each, one of whom must be local to the satisfaction of the learned Additional District and Sessions Judge, 2<sup>nd</sup> Court cum Judge, Special Court under NDPS Act, Murshidabad at Berjampore.

If on bail, the petitioner shall be physically present on each and every date so fixed before the learned Special Court and shall not leave the jurisdiction of district of Murshidabad without the prior permission of the learned Special Court.

Accordingly, the application for bail being CRM (M) No. 1160 of 2025 is **allowed**.

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.)**