

16/10/2025
D/L-244
VB
Ct. No.16
(Aritra)
(Rejected)

C.R.M.(NDPS) 1153 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Khargram Police Station Case No.15 of 2025 dated 17/01/2025 under Sections 20(b)(ii)(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : **Sabush Sharma**

... Petitioner

Mr. Moyukh Mukherjee
Mr. Anisur Rahaman
Mr. Kaustav Bhattacharya
Mr. Samrat Mondal

....for the petitioner

Mr. Anupam Das Adhikari
Ms. Suveni Banerjee

....for the State

1. The submission advanced on behalf of the petitioner praying for bail on the ground of long incarceration. The charge has not yet been framed and there is remote possibility of expeditious trial.
2. The learned advocate for the petitioner in this regard relied upon a decision of the Hon'ble Supreme Court in Criminal Appeal No.2254 of 2023.
3. On the other hand, the learned prosecution raises strong objection.

4. Having heard both the learned counsel it is seen that the case has been started in the year 2025 and the present petitioner is the driver from whose possession huge quantity of ganja has been recovered.
5. In the decision as relied upon the appellant was arrested in the year 2021 and till 2023 even after filing of the charge-sheet, the charge was not framed. Accordingly, the Hon'ble Supreme Court allowed the prayer of the bail.
6. However, the situation of this case is not similar to the abovementioned case. That apart, this Court is unable to come out with the rigours of Section 37 of the N.D.P.S. Act and accordingly the prayer for bail stands rejected.
7. The application being CRM (NDPS) 1153 of 2025 stands rejected.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

[CHAITALI CHATTERJEE (DAS), J.]