

10.12.2025

Court No.35.

M/L. 539.

Rakib

(rejected)

CRM (NDPS) 1161 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 Dakshineswar Police Station case no. 274 of 2022 dated 12.12.2022 under Sections 21(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : Nawab Ali.

.....Petitioner.

Mr. Dhananjay Banerjee

.....for the Petitioner.

Mr. Madhusudan Sur, Ld. APP

Mr. Subham Bhakat

.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner has been implicated on alleged recovery of 2 kgs 22 grams of codeine mixtures and he is detained in custody for about three years. It is submitted that there is no possibility of the trial being concluded in near future, as such the petitioner may be released on bail.

Learned advocate for the State opposes the prayer for bail and submits that three witnesses have already been examined and examination of fourth witness would commence in the month of January, 2026 and all efforts would be exhausted by prosecution to conclude the trial at the earliest.

Having regard to the submissions advanced by the State, at this stage, I am not inclined to release the petitioner on bail. As such, the prayer for bail of the petitioner is rejected.

However, it is specifically directed that if within four months from the next date so fix the evidence of the prosecution witness is not concluded i.e. by 2nd of May, 2026, the learned trial Court would release the petitioner on bail on such terms and conditions as the learned trial Court deems fit and proper for ensuring further appearance of the petitioner in course of the trial.

No unnecessary adjournment be granted to any of the parties and the trial of the case would continue in spite of the resolution of the local bar.

It is further directed that, in case the Court finds that there is delay occasioned because of act and action on the part of the accused, the trial Court would record the same and need not adhere to the directions passed above.

With the aforesaid observations CRM (NDPS) 1161 of 2025 is **disposed of**.

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.)