

M/L556
10.12.2025
Bpg.
Dismissed

C.R.M. (NDPS) 1192 of 2025

In Re: An application for bail under Section 439 of the Code of Criminal Procedure 1973/ under Section 483 of the Bharatiya Nagrik Suraksh Sanhita, 2023 filed in connection with Airport Police Station Case No.444 of 2021 dated 29th November, 2021 under Sections 21(C)/28/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985;

Jaber Ali Seikh @ Shaikh
Versus
The State of West Bengal

Mr. Sandipan Ganguly
Mr. Arnab Chatterjee
Mr. Khalid Ahmed.
...for the petitioner.

Mr. Joydeep Roy
Mr. Dattatreya Dutta.
...for the State.

Learned senior advocate appearing for the petitioner submits that the petitioner is in custody for 3 years 11 months and there has been no progress of the trial since the last rejection of bail order. Learned senior advocate submits that on the last occasion when the bail application was taken up, prosecution submitted that examination of P.W.6 is in progress and they intend to examine one more witness. The same position still process, as such, the petitioner may be released on bail.

Learned advocate for the State, on the other hand, submits that since the Presiding Officer was not available, the case

could not proceed for reasons beyond control of the prosecution. According to the State, the next date is fixed on 9th January, 2026 and presently the Presiding Officer has joined on 4th December, 2025.

Having considered such submissions, I direct that the learned trial court would complete the evidence of the prosecution witnesses by 15th February, 2026. No unnecessary adjournment be granted to any of the parties and the trial of the case would continue in spite of any resolution of the local bar.

At this stage, the prayer for bail of the petitioner in CRM(NDPS) 1192 of 2025 is dismissed.

However, it is directed that the learned trial court would after 15th February, 2026 within a month complete the examination of the accused persons under Section 313 of Cr.P.C. and pronounce the verdict by 31st March, 2026. This is subject to the undertaking given before this Court by the learned senior advocate appearing for the petitioner that no defence witness will be examined on behalf of the petitioner.

The aforesaid directions would be followed by the learned special court. If the aforesaid conditions are strictly adhered to by all the accused persons, the learned trial court, if for other reasons the directions cannot be complied with, will release the petitioner on bail on such terms and conditions as it deems fit and proper for ensuring further appearance of the accused.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)