

11.12.2025
Court No.35.
M/L. 559.
Kausik
(Rejected)

CRM (NDPS) 1255 of 2025

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure, 1973 in connection with Baduria Police
Station Case No. 396/2023 dated 28.06.2023 under sections
21(C)/29 of the NDPS Act, 1985;

And

In the matter of : Linkon Kanjilal

.....Petitioner.

Mr. Shashanka Shekhar Saha

.....for the Petitioner.

Mr. Saryati Datta

Ms. Ranjnandini Das

.....for the State.

Learned advocate appearing for the petitioner submits
that petitioner is in custody for about 2 years 6 months and
there is no possibility of the trial concluding in near future, as
such the petitioner may be released on bail on any stringent
condition.

Learned advocate submits that earlier there was a
mandate by the High Court to conclude the trial within the
schedule period and the said schedule has expired.

Learned advocate for the State opposes the prayer for
bail and submits that 2 Kgs. of Heroin were recovered from the
joint possession of the petitioner and another. Already the
prosecution has examined 3 witnesses out of the 18 witnesses
proposed to be examined. A report has been submitted on

behalf of an Officer of the Special Task Force, West Bengal which reflects that prosecution intends to examine 5 more witnesses to conclude the trial.

I have taken into account the quantum of seizure and I am of the opinion that the rigors of Section 37 of the NDPS Act is attracted. As such the prayer for bail of the petitioner in CRM (NDPS) 1255 of 2025 is dismissed.

State would sincerely take steps before the learned Trial Court for production of the witnesses on the dates fixed. 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.

Report submitted on behalf of the State be kept with the record.

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.)