

18.12.2025

Item No. M/L. 670

Ct.No.35

dc.

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (NDPS) 1334 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Palashipara Police Station Case No. 591 of 2024 dated 23.11.2024 under Section 21(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Musidul Sk @ Musidul Shaikh @ Masidul Sk.**

... Petitioner.

Mr. Tapodip Gupta,
Mr. Suman Bhanja

... For the Petitioner.

Mr. Arijit Ganguly,
Ms. Suveni Banerjee

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is the sole accused who has been arraigned on the accusation of alleged recovery of 287 grams of heroin. Petitioner is in custody for 1 year 25 days and examination of two seizure list witnesses is over. As such, petitioner prays for bail on any stringent condition.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that five witnesses, out of the proposed nine witnesses, have already been examined. As such, at this belated stage, release of the petitioner would jeopardize the trial of the case.

As the evidence of the witnesses are not before this Court, I am not inclined to release the petitioner on bail. As such, the prayer for bail of the petitioner is **rejected**.

However, since the learned advocate for the petitioner has submitted before this Court that two of the seizure list witnesses have become hostile, the learned Trial Court is directed to check the records of the case and if it is found that the seizure list witnesses are hostile, the learned Trial Court would release the petitioner on bail on such terms and conditions as it deems fit and proper ensuring the future appearance of the petitioner before the Court in course of the trial.

The application for bail, being CRM (NDPS) 1334 of 2025, is, thus, disposed of.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)