

06.11.2025
Court No.35.
D/L. 29.
Kausik
(Allowed)

CRM (NDPS) 1372 of 2025

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with
Baishnabnagar Police Station Case No. 37/2024 dated
11.01.2024 under Sections 21(c)/29 of the Narcotic Drugs and
Psychotropic Substances Act.

And

In the matter of : Amirul Sk. @ Aminul @ Amirul Islam @

Raju

.....Petitioner.

Mr. Tapodip Gupta
Mr. Suman Bhanja

.....for the Petitioner.

Ms. Sonali Das
Ms. Trisha Rakshit

.....for the State.

Learned advocate appearing for the petitioner submits
that although on 08.05.2025 there was a direction by a Co-
ordinate Bench in CRM(NDPS) 384 of 2025 to expedite the trial
and take steps so that the same is concluded within a period of
18 months, till date after completion of 6 months charge has
not been framed.

Learned advocate submits that since the recovery was
from joint possession of the petitioner along with another
accused, the petitioner and the other accused is standing on a
similar footing.

Earlier the bail application of the present petitioner was
rejected because of the fact that there is another criminal case
pending against him.

It has been informed on behalf of the petitioner that the petitioner has been granted bail in connection with the said criminal case.

Be that as it may, so far as the merits of the present case is concerned, I find that the report which has been submitted by the Officer of Baishnabnagar Police Station states that because of abscondance of other accused persons there has been no progress in the case. The report do not reflect that till date charge has been framed.

The earlier order was passed more than 6 months ago. Having regard to the fact that the similarly placed accused has already been released on bail and the period of detention of the present petitioner, I am inclined to release the petitioner on bail.

Accordingly, the prayer for bail of the petitioner is allowed.

Petitioner shall furnish bond of Rs. 20,000/- (Twenty Thousand Only) with two sureties of Rs. 10,000/- (Rupees Ten Thousand) each. One of whom must be local to the satisfaction of the learned Judge, Special Court, Malda.

If on bail the petitioner shall be physically present on each and every date fixed by the Trial Court and shall not leave the jurisdiction of the District of Malda without the prior permission of the learned Special Court. The Superintendent of Police, Malda is directed to ensure that a Nodal Officer is

engaged in this case who would monitor the execution of processes in respect of the absconding accused persons, Pursue Public Prosecutor for taking the case to the stage of consideration of charges as also take steps for ensuring the presence of the witnesses on the date so fixed.

Registrar General, High Court, Calcutta is directed to send this order to the Superintendent of Police, Malda.

With the aforesaid observations CRM (NDPS) 1372 of 2025 is allowed.

Memo of evidence so submitted 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.)