

D/L 14
18.11.2025

Bpg.
Rejected

C.R.M. (NDPS) 1425 of 2025

In Re: An application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with Berhampore
Police Station Case No.269/2024 dated 22.02.2024 under Sections
21(c)/25/27A/28/29 of the Narcotic Drugs and Psychotropic Substances
Act;

Ashraf Hossain Chowdhury
Versus
The State of West Bengal

Mr. Ayan Bhattacharya
Mr. Samarjit Sarkar.
...for the petitioner.

Mr. Debasish Roy, Ld.P.P.
Mr. Sanjay Banerjee
Mr. Dattatreya Dutta.
...for the State.

Learned advocate appearing for the petitioner submits
that the petitioner is in custody for 1 year 5 months and the subject
matter of the case relates to 7.5 kg. of morphine being recovered.
Learned advocate for the petitioner submits that no recovery was
made from the present petitioner and in spite of the same, he is in
custody. Only three witnesses have been examined from the
proposed charge-sheeted witnesses.

Mr. Roy, learned Public Prosecutor appearing for the
State opposes the prayer for bail and also tries to establish from the
materials available in the case diary, the complicity of the petitioner
in connection with the instant case and submits that although there
has been no recovery from the petitioner but there are materials
which would reflect that the petitioner was thickly connected with

the alleged offence.

Be that as it may, the trial of the case is in progress, three witnesses have been examined and, on instructions from the investigating officer of the case, learned Public Prosecutor submits that 18 witnesses will be examined in connection with the instant case.

Having considered the stage of the case, I am of the opinion that at this stage, it would not be fit and proper to release the petitioner on bail.

Accordingly, the prayer for bail of the petitioner in CRM (NDPS) 1425 of 2025 is rejected.

However, if within a period of six months from the date of communication of this order substantial number of witnesses, i.e. 10 more witnesses are not examined, the petitioner would be at liberty to approach this Court for renewal of the prayer for bail.

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.)