

18.11.2025

Item No.26

Ct.No.35

dc.

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (NDPS) 1438 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Kharagpur GRPS Case No. 118 of 2024 dated 07.07.2024 under Sections 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 and charge-sheet submitted under Sections 20(b)(ii)(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Samirul Islam**

... Petitioner.

Mr. Sagar Saha,
Mr. Manojit Debnath,
Ms. Nayana Mukhopadhyay,
Ms. Aatreya Mukherjee

... For the Petitioner.

Mr. Kaushik Kundu,
Ms. D. Mondal

... For the State.

Learned advocate appearing for the petitioner submits that from the joint possession of the petitioner and another 28 kgs. of ganja was recovered. It has been submitted that the petitioner is in custody for about 1 year 4 months and there has been hardly any progress in the trial since only one witness has been examined out of 14 witnesses proposed to be examined by the prosecution.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that there was recovery and witnesses are being examined; the delay which has been caused, cannot be attributed to the prosecution.

Be that as it may, having regard to the period of detention of the present petitioner and the manner in which the trial is being progressed, even if there are systematic reasons for such delay, I am inclined to release the petitioner on bail. As such, the prayer for bail of the petitioner is **allowed.**

Accordingly, the petitioner viz., **Samirul Islam** shall be released on bail upon furnishing bond of Rs.20,000/-, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Special Court under the NDPS Act, Paschim Medinipur.

If on bail, the petitioner shall be physically present on each and every date so fixed by the learned Special Court and shall not leave the jurisdiction of the district of Paschim Medinipur without the leave of the learned Special Court.

The application for bail, being CRM (NDPS) 1438 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.)