

21.11.2025
Serial no. 34
[G.S.D]

CRM (NDPS) 1450 of 2025

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with **Goalpokher PS Case No. 461 of 2023 dated August 18, 2023 under sections 21(c)/29 of the NDPS Act giving rise to Special NDPS Case No. 24 of 2023.**

-And-

In the matter of : Saddam Hussain @ Md. Saddam Hussain

... .. Petitioner(s)

Mr. Navanil De
Mr. S. Ghosh

... for the Petitioner(s)

Mr. Madhusudan Sur, Id. APP
Mr. Nirupam Dhali

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is in custody for three months and twenty one days and the subject-matter of seizure is 50 bottles of phensedyl from the principal accused. Learned advocate also submits that the petitioner has been implicated on the basis of statement of the co-accused.

Learned advocate further submits that the petitioner's anticipatory bail was rejected, subsequent to which, a Special Leave Petition was preferred before the Hon'ble Apex Court. The Hon'ble Apex Court was pleased to hold that no ground of anticipatory bail is made out, but, as the charge-sheet has already been submitted, application for regular bail be considered without being influenced by the impugned order as well as the order passed in the SLP.

Learned advocate for the State, on the other hand, opposes the prayer for bail and submits that the petitioner fled away from the spot, as such, there was no recovery and, in course of the investigation, the petitioner was absconding.

Having regard to the period of detention of the petitioner and the stage of the case, I am not inclined to enlarge the petitioner on bail.

Hence, the prayer for bail of the petitioners is **Rejected.**

However, the petitioner is granted liberty to renew his prayer for bail after the stage of consideration of charges is over.

Accordingly, CRM(NDPS) 1450 of 2025 is **dismissed.**

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

