

27.11.2025

Item No.9

Ct.No.35

dc.

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (NDPS) 1517 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Chapra Police Station Case No. 990 of 2024 dated 02.10.2024 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Israfil Mondal and another**

... Petitioners.

Mr. Joy Chakraborty

... For the Petitioners.

Mr. Iqbal Kabir,
Mr. Debanshu Ghorai

... For the State.

Learned advocate appearing for the petitioners submits that the petitioners are similarly placed as other accused persons who have been granted bail on 07.11.2025 in CRM(NDPS) 865 of 2025 and as such, they may be released on bail as the recovery in the present case relates to joint possession of the present petitioners with others.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and produces the case diary. Case diary reflects that the petitioners are the responsible persons from whose conscious possession, such recovery has been made. Petitioners are not similarly situated as the driver and conductor of the bus who have been granted bail.

Having regard to the provisions of law, I am of the opinion that the present petitioners have failed to overcome the rigors of Section 37 of the NDPS Act. As such, the prayer for bail of the petitioners is **rejected**.

However, the State is directed to expedite the process of trial as only one witness has been examined out of 11 witnesses proposed to be examined, although for 13 months the accused persons are in custody. State is directed to ensure that at least ten witnesses are examined by 31st May, 2026.

Petitioners would be at liberty to approach this Court for renewal their prayer for bail in case the aforesaid condition is violated.

The application for bail, being CRM (NDPS) 1517 of 2025, is, thus, dismissed.

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.)