

02.12.2025
Serial no. 22
[G.S.D]

CRM (NDPS) 1539 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 **Berhampore PS Case No. 2038 of 2024 dated 15th December, 2024 u/s 21(c)/25/27A/29 of the NDPS Act.**
-And-

In the matter of : Bablu Prasad Gupta

... .. Petitioner(s)

Mr. Arnab Chatterjee
Mr. Avik Ghosh
Ms. A. Ghosh

... for the Petitioner(s)

Mr. Sanjay Banerjee
Mr. Kausav Banerjee

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is in custody for more than eleven months, although, charges have been framed, but, there has been no progress in the case.

Learned advocate for the State opposes the prayer for bail and submits that 22,300 bottles of phensedyl were recovered from the commercial vehicle.

Having considered the quantum of seizure, I am of the view that the rigours of Section 37 of the NDPS Act is attracted, as such, I am not inclined to enlarge the petitioner on bail.

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

However, the petitioner would be at liberty to approach this court, in case there is delay in the trial and the seizure list witnesses are not examined within six months.

Accordingly, CRM (NDPS) 1539 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.)