

03.12.2025

Item No.19

Ct.No.35

dc.

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (NDPS) 1559 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 English Bazar Police Station Case No. 22 of 2022 dated 06.01.2022 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Sk. Sabirul @ Sk. Harun @ Sk. Haru @ Sk. Nabirul**
... Petitioner.

Mr. Mazahar Hossain Chowdhury
... For the Petitioner.

Mr. Bibaswan Bhattacharya,
Ms. Debjani Sahu
... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for six months twenty days and although charge has been framed, but there has been no examination of witness till date. It has been submitted that unnecessarily petitioner is languishing in jail.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that although 170 bottles of Phensedyl were recovered, but the petitioner was absconding for three and a half years. Consequently, effective steps could not be taken by the investigating agency.

Having considered the conduct of the present petitioner, I am not inclined to release the petitioner on bail

at this stage. As such, the prayer for bail of the petitioner is **rejected**.

State is directed that within a period of six months, it would at least examine the seizure list witnesses.

Petitioner is granted liberty to renew his prayer for bail after the examination of the seizure list witnesses is over.

The application for bail, being CRM (NDPS) 1559 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.)