

08.12.2025

Court No.35.

D/L. 14.

Kausik

CRM (NDPS) 1576 of 2025

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure, 1973 in connection with Patiram Police
Station Case No. 103 of 2025 dated 03.05.2025 under Sections
21(c)/22(c)/23(c)/27A of the NDPS Act, 1985;

And

In the matter of : Saddam Hossain

.....Petitioner.

Mr. Ayan Bhattacharjee, Sr. Adv.
Mr. Kausik Chowdhury
.....for the Petitioner.

Mr. Subhamay Bhattacharya
Ms. Smita Saha

.....for the State.

Learned senior advocate appearing on behalf of the
Petitioner submits that the subject matter of the case relates to
alleged recovery of 648 bottles of Phensedyl.

So far as the present petitioner is concerned, there is no
recovery from the present petitioner and he is in custody for six
and a half months.

It has also been contended that out of five accused
persons named in the charge sheet, one accused is still
absconding, as such on any stringent condition petitioner may
be released on bail.

Learned advocate for the State opposes the prayer for
bail and submits that the petitioner is thickly connected with

the offence as there were number of calls which is reflected in the CDR. Petitioner has antecedents and one of the accused person is still absconding thereby intentionally delaying the process of trial.

Having considered the period of detention of the present petitioner, I am of the view that this Court is not inclined to release the petitioner on bail at this stage.

However, it is directed that the learned Trial Court will exhaust the process so far as the absconding accused person is concerned, if required split up the trial of the case, complete the process of supply of copies and after the stage of consideration of charges are over, would release the petitioner on bail on such terms and conditions as the learned Special Court deems fit and proper for ensuring the presence of the accused in course of the trial.

With the aforesaid observations CRM (NDPS) 1576 of 2025 is disposed of.

All parties shall act in terms of server copy of the order 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.)