

37.
28-01-2025
(ct. no.29)
debajyoti

CRM (NDPS) 1863 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Sagardighi Police Station Case No.174 of 2024 dated 30-04-2024 under Sections 20(b)(ii)(c)/29 of the Narcotic Drugs and Psychotropic Substances Act.

- A n d -

In the matter of : Hayder Miah & Anr.

.... Petitioners.

Mr. Tapodip Gupta,
Mr. Suman Bhanja

... For the Petitioners.

Mr. Avishek Sinha,
Ms. Manasi Roy

... For the State.

Dictated by Arijit Banerjee, J.

1. The petitioners were granted interim bail on January 02, 2025 on the ground that the FSL report was not filed along with the charge sheet. Following the ratio in the decision of **Idul Mia Vs. The State of West Bengal** reported in **2024 Supreme Court Cases Online Cal 9109**, that order was passed.

2. We are told by learned State advocate that the FSL report is still not available. Therefore, copies under Section 207 of the Code of Criminal Procedure have also not been made available to the petitioners. There is no possibility of an early conclusion of the trial.

3. Learned State advocate, on instructions, tells us that there is no adverse report against the petitioners insofar as compliance of conditions of interim bail is concerned.

4. In that view of the matter, we are inclined to confirm the interim bail on the same terms and conditions on which the interim bail was granted to the petitioners and we do so.

5. The application for bail is, thus, **disposed of**.

6. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

7. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)