

28.08.2025
Item no.12
Ct. No. 29
(Allowed)

C.R.M. (NDPS) 1989 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973/Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with NDPS Case No. 40 of 2023 arising out of Raninagar Police Station Case No. 158 of 2023 dated 27/03/2023 under sections 21(C) of the NDPS Act, 1985.

BD.

In the matter of : **Biplove Mandal @ Biplab Mandal**
.... Petitioner.

Mr. Arnab Chatterjee
Mr. Chandan Mondal ... for the petitioner.

Mr. Madhusudan Sur
Mr. Atanu Ghosh ... for the State.

Report submitted by the State dated 21.08.2025 is taken on record.

The petitioner was granted interim bail by this Court vide order dated 5th February, 2025, considering his period of detention and that only five witnesses were examined till date and four more witnesses are required to be examined by the prosecution.

Petitioner submits that since that date no further witness could be examined by the prosecution for last one year and the order of the trial court dated 17th February, 2025 and 4th August, 2025 discloses that the prosecution failed to bring witnesses before the Court. He further submits that the evidence of the prosecution so far adduced shows that most of the witnesses failed to identify the petitioner and they have also not supported the prosecution case.

In such circumstances, the interim bail granted to the petitioner vide order dated 5th February, 2025 may be confirmed.

Mr. Sur learned counsel appearing on behalf of the State submitted a report, which discloses that PW 5 was examined on 05.08.2024 and the trial of the case is in progress and the prosecution is required to examine five more witnesses and the next date is fixed for evidence on 21st February, 2026.

Having heard learned counsel appearing on behalf of the petitioner and the State and also considering the fact that there is no progress in trial since the granting of interim bail by this Court the prayer for bail made by the petitioner is allowed.

The interim bail granted by this Court to the petitioner on 5th February, 2025 is hereby confirmed subject to compliance of the conditions imposed in the bail order.

Accordingly, C.R.M. (NDPS) 1989 of 2024 is disposed of.

Urgent photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)

