

24.02.2025

DL-76

Court No.26

CRM (NDPS) 2028 of 2024

*(Bail **Rejected**)*

(AD)

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 in connection with N.D.P.S. Case No.83 of 2023 arising out of **Beldanga** Police Station Case No.**563** of **2023** dated **23.07.2023** under Sections **20(b)(ii)(c)/25/29** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

-And-

In the matter of : Golam Murtuja Sk

... ...Petitioner

Mr. Soumya Basu Roy Chowdhuri, Advocate

Mr. Anisur Rahman, Advocate

... ... For the Petitioner

Mr. Debashis Roy, Ld. PP

Ms. Anasuya Sinha, Ld. APP

Ms. Jonaki Saha, Advocate

... ...For the State

1. Report as called for by the order dated February 10, 2025 filed in Court be taken on record.
2. Petitioner is in custody for about one year seven months.
3. Learned Public Prosecutor submits that, the prosecution is likely to examine seven witnesses. He points out that, the schedule for examining the prosecution witnesses stands fixed by the learned Trial Judge. The next schedule for examining the prosecution witnesses commences in the

month of April, 2025. Seven prosecution witnesses are required to be examined.

4. Period of detention of the petitioner is one year seven months.
5. Period of detention of the petitioner as well as the number of prosecution witnesses likely to be examined at the trial does not prompt us to arrive at a finding that the trial is unlikely to end in the near future.
6. Commercial quantity of narcotics were seized from the house belonging to the petitioner.
7. We are of the view that, the petitioner is unable to overcome the restrictions under Section 37 of the NDPS Act, 1985.
8. In such circumstances, we are not inclined to grant bail to the petitioner.
9. Accordingly, the prayer for bail of the petitioner is **rejected**.
10. **CRM (NDPS) 2028 of 2024** is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)