

10.06.2025
Item no. 28.
Court No.2.
Rakib

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

CRM (NDPS) 195 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Rajganj Police Station Case No. 416 of 2024 dated 20.05.2024 under Sections 20(b)(ii)(C)/25/27A/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : Mousam Sarkar.

.....Petitioner.

Mr. Supnitam Nag,
Ms. Trishna Roy.

.....for the Petitioner.

Mr. Kallol Acharjee,
Mr. Dhiman Sil.

.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for a considerable period of time, although charge-sheet has been submitted, but till date there has been no progress in the case and the petitioner is unnecessary languishing in jail.

On the other hand learned advocate appearing for the State submits that more than 151 kgs. of contraband/ganja were recovered in connection with the instant case, one of the accused person is absconding and earlier the prayer for bail of the petitioner was rejected.

Having considered the reasons granted earlier in CRM (NDPS) 48 of 2025, I am of the view that there has been no change of circumstances in the merits of the case except to the extent that the petitioner is in custody for a longer period. The huge commercial quantity of contraband which was recovered do not permit the conscience of this Court for releasing the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected.

However, learned Special Court is directed to exhaust the process of law in respect of the absconding accused, split up the trial of the case and take steps for consideration of charges so that within a reasonable period of time the trial of the case can be taken to its logical conclusion.

With the aforesaid observations CRM (NDPS) 195 of 2025 is disposed of.

Learned Registrar, Circuit Bench at Jalpaiguri, High Court Calcutta would communicate this order to the learned Special Court in seisin of the case.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)