

28.10.2025

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SB

Ct no. 3

Rejected

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

C.R.M. (NDPS) 367 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with NDPS case no. 58 of 2024 arising out of Bhorer Alo Police Station case no. 195 of 2024 dated 19.9.2024 under Sections 21(c) of the NDPS Act 1985.

And

In the matter of : **Md. Wazid Ali @ Md. Wajid Ali**
.... Petitioner

Mr. Prajnadeepta Roy
Mr. Jaimallya Bhattacharya ...for the Petitioner

Mr. Abhijit Sarkar
Mr. Tapan Bhattacharjee ...for the State

Prosecution case is that 160 bottles of cough syrup containing codeine phosphate was recovered from the vehicle of the present petitioner.

Learned counsel for the petitioner submits that the investigation has already been culminated into a charge-sheet on 5th February, 2025 but learned counsel for the petitioner on instruction, submits that the charge has not yet been framed and as such, he submits that nobody knows when the trial would commence and considering his period of detention, he may be released on bail on any terms and conditions.

Learned counsel for the State opposed the prayer for bail contending that commercial quantity of narcotic

substance was recovered from the possession of the present petitioner and it will not take much time to conclude the trial.

Having considered the submissions made on behalf of both the parties and on perusal of the available materials, I find that the petitioner has failed to overcome the rigour of Section 37 of the NDPS Act in the instant case and as such, the prayer for bail made by the petitioner is rejected.

However, the Trial court is requested to expedite the trial and to frame charge against the sole accused preferably within a period of two months from the next date of hearing and also to make every endeavour to conclude the trial preferably within a period of ten months thereafter.

If the petitioner finds no substantial progress in trial during the said period for which, the delay will not be attributable to the petitioner, he will be at liberty to pray for renewal of his bail prayer. Both the parties will communicate the order to the Trial court immediately.

Accordingly, CRM (NDPS) 367 of 2025 is disposed of.

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

(Dr. Ajoy Kumar Mukherjee, J.)