

29.10.2025
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Bd.
Rejected
Ct.3

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

C.R.M. (NDPS) 382 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with PTN (NDPS) Case no. 44 of 2025 arising out of New Jalpaiguri GRPS Case No. 9 of 2025 dated 28.01.2025 under Sections 8(c)/21(c)/29 of the NDPS Act, 1985.

And

In the matter of : **Mintu Ali & Anr.**

.... Petitioners

Mr. Bibek Tarafdar
Ms. Rishita Chakraborty

...for the Petitioners

Mr. Nilay Chakraborty
Mr. Tapan Bhattacharya

...for the State

Prosecution case is that 500 bottles of cough syrup containing codeine phosphate was recovered from the exclusive possession of the petitioners herein.

Learned counsel appearing on behalf of the petitioners submits that from the FIR itself it is clear that recovery was made from a passenger train and from general compartment where many passengers were present and the petitioners have been falsely implicated and they are in custody since 28th January, 2025 i.e., for about 274 days. She further submits that investigation has already been culminated in a charge-sheet on 26th July, 2025, but the trial has not yet been commenced and it is uncertain as to when the trial would commence and will end and therefore further detention of the

present petitioners will not yield any fruitful result and they may be released on bail on any terms and conditions.

Mr. Chakraborty, learned counsel for the State opposed the bail prayer contending that commercial quantity of narcotic substance was recovered from the joint possession of the present petitioners and if the petitioners are released on bail there is serious chance of their absconsion and to cause delay in trial.

Having heard learned counsel appearing on behalf of both the parties and also on perusal of the materials available in the case diary including the FIR and seizure list, I find that there are reasonable grounds of believing the petitioners involvement with the alleged offence and as such the petitioners have failed to overcome the restrictions imposed in Section 37 of the NDPS Act, and considering the facts and circumstances of the case the prayer for bail made by the petitioners stands rejected.

However, trial court is requested to make every endeavour for expeditious disposal of the case keeping it in mind that the petitioners valuable fundamental right of speedy trial and to take all steps to conclude the trial as early as possible.

Both the parties are directed to communicate the order before the court below at once.

Accordingly, CRM (NDPS) 382 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.)