

04.11.2025
20
Bd.
Rejected
Ct.3

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

C.R.M. (NDPS) 389 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Jaigaon Police Station Case No. 89 of 2025 dated 06.05.2025 under Sections 17(c) of the NDPS Act, 1985.

And

In the matter of : **Sapikul Islam** **Petitioner**

Mr. Pritam Roy
Mr. Nikehen Tamang ...for the Petitioner.

Mr. Aditi Shankar Chakraborty
Mr. Aniruddha Biswas ...for the State

Prosecution case is that 307 grams of brown sugar was recovered from the exclusive possession of the present petitioner.

Learned counsel appearing on behalf of the petitioner submits that petitioner is suffering incarceration from 6th May, 2025 and investigation has already been culminated in a charge-sheet and the trial has commenced. He further submits that he is a local resident and as such there is hardly any chance of his absconsion. Furthermore, his father died recently who was suffering from cancer. His further case is that he has been falsely implicated and he was merely a passerby as evidenced from the FIR. In such circumstances, he may be released on bail on any terms and conditions.

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

was recovered from the exclusive possession of the present petitioner and that the trial has already commenced and the next date is fixed on 17th November, 2025 for evidence.

Having heard learned counsel appearing on behalf of both the parties and in view of materials available in the case diary, I find that petitioner has failed to overcome the restrictions imposed in Section 37 of the NDPS Act, and as such the prayer for bail made by the petitioner stands rejected.

However, trial court is requested to expedite the trial and to make every endeavour to conclude the trial preferably within a period of one year from the next date of hearing.

If the petitioner finds no substantial progress in trial during the said period for which the delay would not be attributable to the petitioner he will be at liberty to renew his bail prayer.

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

Accordingly, CRM (NDPS) 389 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.)