

3.11.2025

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Ct no. 3

Rejected

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

C.R.M. (NDPS) 411 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with C.R. NDPS case no. 48 of 2025 arising out of Phanshidewa Police Station case no. 180 of 2025 dated 23.4.2025 under Sections 20(b)(ii)(c) of the NDPS Act 1985.

And

In the matter of : **Ratan Roy**

.... Petitioner

Ms. Dalia Roy
Ms. Madhushri Dutta

...for the Petitioner

Mr. Nilay Chakraborty, Ld. APP
Mr. Abhijit Sarkar
Mr. Sourav Ganguly

...for the State

Learned counsel for the petitioner submits that the petitioner has been falsely implicated while was waiting for a public vehicle at the stand. She further submits that the petitioner is suffering from different types of ailments. In the seizure list, two alleged witnesses are the two brothers, which discloses that they are the pocket witnesses of the police. She further submits that the investigation has already been culminated in a charge-sheet and the trial has not yet been commenced and it would take long time to conclude the trial and as such, 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 23 kgs. 301 gms. of Ganja was recovered

from two accused persons including the present petitioner. The petitioner was the pillion rider of the motorcycle wherefrom the contraband was seized. He further submits that the charge-sheet has been submitted on 19.9.2025 and the prosecution has proposed to examine 15 witnesses and as such, it would not take much time to conclude the trial. He also submitted medical examination reveals that the petitioner is physically fit.

Having considered the submissions made on behalf of both the parties and in view of the materials placed before me including the seizure list, I find that the petitioner has failed to overcome the restrictions imposed under 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 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 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) 411 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.)