

3.11.2025
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SB
Ct no. 3
Rejected

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

C.R.M. (NDPS) 447 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. 4 of 2025 arising out of Ghoksadanga Police Station case no. 700 of 2024 dated 26.12.2024 under Sections 20(b)(ii)(c)/27A/28/29 of the NDPS Act 1985.

And

In the matter of : **Jitendra Singh**

.... Petitioner

Mr. Gopal Roy

...for the Petitioner

Mr. Abhijit Sarkar

Mr. Kallol Nag

...for the State

Pursuant to the complaint lodged by the defacto-complainant, the instant case has been initiated against the petitioner and it has been alleged in the complaint that on 26.12.2024, on the basis of a source information a truck was intercepted and four accused persons including the present petitioner were arrested who were travelling by a 12-wheeler truck wherefrom huge quantity of Ganja was recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated with this case. He is in custody for about 300 days and the investigation has already been culminated in a charge-sheet and as such, his further detention will not yield any fruitful

result as there is no likelihood of conclusion of trial within near future.

Learned counsel for the State opposed the prayer for bail contending that 129.10 kgs. of Ganja was recovered from the joint possession of the present petitioner. He further submits that the delay in trial is clearly attributable to the accused persons as one of the accused person is still absconding.

Having considered the submissions made on behalf of both the parties and in view of the materials placed before me, 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 if required, by splitting the record in connection with the absconding accused (if any). Both the parties will communicate the order to the Trial court immediately.

Accordingly, CRM (NDPS) 447 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.)