

26.02.2026

Item No.61
Ct.No.35
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (NDPS) 348 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Baduria Police Station Case No. 396 of 2023 dated 28.06.2023 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Md. Ali Gazi alias Ali Gazi alias Mohammed Ali Gazi**
... Petitioner.

Mr. Angshuman Chakraborty,
Mr. S. S. Saha

... For the Petitioner.

Mr. Antarikhya Basu,
Ms. Madhumita Basu

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for more than 2 years 6 months and till date, out of the total number of witnesses cited by the prosecution, only three witnesses have been examined and the evidence of PW-4 is in progress.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail.

There are issues regarding videography of the seizure concerned for which the evidence of PW-4 could not be completed on the earlier occasion.

Be that as it may, there has been recovery of 500 grams of heroin from the petitioner. Earlier there was direction, but the same seems to have been deviated; question is at whose instance the deviation takes place, is a subject of separate assessment.

As a matter of last chance, prosecution is granted six months' time to conclude the evidence of its witnesses before the learned Trial Court. No unnecessary adjournment be granted to either of the parties and the evidence of the case would progress in spite of any resolution of the local Bar.

Learned Trial Court would assess that within the aforesaid period of six months, if any delay has occasioned because of the accused persons, the same be taken into account; in the alternative, if there are systematic delays, the petitioner be released on bail after the period of six months is over.

Report submitted by the learned advocate appearing for the State be kept with the record.

With the aforesaid directions, the application for bail, being CRM (NDPS) 348 of 2026, is disposed of.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Tirthankar Ghosh, J.)