

24.03.2026

Item No.42

Ct.No.35

dc.

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (NDPS) 432 of 2026

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Gangarampur Police Station Case No. 532 of 2024 dated 05.10.2024 under Sections 21(C)/22(C)/23(C)/25/27A/28/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Ashim Sarkar**

... Petitioner.

Mr. Rahul Ganguly

... For the Petitioner.

Mr. Ranabir Roy Chowdhury,
Mr. Santanu Deb Roy

... For the State.

Learned advocate appearing for the petitioner submits that the prosecution has been skipping the evidence of five seizure list witnesses as the schedule on February, 2026 would reflect that no seizure list witnesses were produced by the prosecution and the next date is fixed on 20.06.2026 for evidence of CSW-14 and CSW-15.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that 4950 bottles of cough syrup and 50 cartons of Morphine injection were recovered.

Having considered the huge quantity of seizure of contraband, I am of the opinion that this is not a fit case for granting bail, but the prosecution should also understand

that for time immemorial a person cannot be detained in custody; for that progress of the trial is to be assessed. In this case, petitioner is in custody for about 574 days. Accordingly, prosecution is directed to complete the evidence of five seizure list witnesses between 20.06.2026 and 30.06.2026.

Petitioner would be at liberty to approach this Court after 30.06.2026.

At this stage, the prayer for bail of the petitioner is **rejected.**

The application for bail, being CRM (NDPS) 432 of 2026, is, thus, 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.)