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C.R.M. (NDPS) 615 of 2026

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Previously Section 439 of the Code of Criminal Procedure, 1973) filed in connection with NDPS Case No. Kaliganj Police Station Case No.261 of 2025 dated 22.03.2025 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985;

Sohel Mondal
Versus
The State of West Bengal

Mr. Sumanta Chakraborty
Ms. Dhimoyee Kundu.
...for the petitioner.

Mr. Avishek Sinha.
Mr. Soumodip Saha.
...for the State.

Learned advocate appearing for the petitioner submits that the subject matter of the case relates to alleged recovery of 1293 bottles of phensedyl from joint possession of the five persons. According to the learned advocate, petitioner is in custody for 1 year 1 month and charge-sheet has already been submitted before the jurisdictional court.

Learned advocate for the State, on the other hand, opposes the prayer for bail and submits that charge has already been framed and witness action has already commenced. One of the witnesses has already been examined. There are 13 charge-sheeted witnesses on whom prosecution intends to rely upon.

Learned Special Court is directed to prepone the examination of the evidence of seizure list witnesses. In case after

the evidence of the seizure list witnesses are over and the learned trial court finds that there has been some dilution in respect of the provisions of Section 37 of the NDPS Act because of the evidence of the seizure list witnesses and an application for bail is preferred by the accused person, the learned trial court will leniently consider the application for bail. Let such seizure list witnesses be examined within a period of 90 days from the next date so fixed by the learned trial court.

With the aforesaid observations, CRM(NDPS)615 of 2026 is disposed of.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)