

29.
26.05.2026.
pk/ap

C.R.M. (NDPS) 901 of 2026

In the matter of: an application for bail under Section 439 of the Code of Criminal Procedure, 1973 read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 04.05.2026 in connection with Barasat Police Station Case No. 259 of 2024 dated 01.05.2024 under Sections 20(b)(ii)(C)/29 of the Narcotic Drugs and Psychotropic Substance Act, 1985 and Section 25(1)(a) of the Arms Act.

And

In re.: Indrajit Das @ Kajal.

...Petitioner.

Mr. Angshuman Chakraborty,
Mr. Shashanka Shekhar Saha. ... For the petitioner.

Mr. Kallol Mondal, Ld. P.P.
Ms. Anamitra Banerjee.

...For the State.

1. Learned Counsel for the petitioner submits that the petitioner has been in custody for almost two years and that, on an earlier occasion, a Hon'ble Division Bench of this Court requested the Trial Court to expedite the trial, to the extent possible, and conclude the same at an early date. He further submits that despite such direction, the trial has not yet been concluded. It is also submitted that considering the fact that the liberty of the petitioner is being curtailed and there is no likelihood of the trial being concluded expeditiously, the petitioner may be enlarged on bail.

2. Mr. Mondal, learned Public Prosecutor appearing for the State, vehemently opposes the prayer for bail of the petitioner. He submits that due to the engagement of the Presiding Officer in SIR-related work, the trial could not be concluded. He further submits that the evidence of the Investigating Officer has commenced and that the trial is likely to be concluded shortly. He also submits that

at this stage, it would not be just to release the petitioner on bail and that if the petitioner is enlarged on bail, the trial may be hampered.

3. Heard the learned Advocate appearing on behalf of the respective parties and perused the materials on record.

4. The record reveals that the present case was initiated on allegations of recovery of 27.865 kilograms of ganja along with two arms from the possession of the accused persons. Twelve witnesses have been cited in the charge-sheet, and the examination of almost all the witnesses, except the Investigating Officer, has already been completed. I have been informed that the examination of the Investigating Officer is presently underway and that the trial is on the verge of conclusion.

5. It also appears from the records that on 18th December, 2025, a Co-ordinate Bench of this Court, noticing the fact that out of 12 witnesses, the examination of 9 witnesses had been completed, refused the prayer for bail of the petitioner and directed the learned Trial Judge to dispose of the trial expeditiously.

6. However, due to the circumstances beyond his control, the trial could not be completed.

7. Considering all these aspects of the matter, I am of the view that it would not be proper to enlarge the petitioner on bail at this stage.

8. Accordingly, the application for bail of the petitioner is rejected.

9. Urgent photostat certified copy of this order, if applied for, be given to the parties as expeditiously as possible on compliance of necessary formalities.

(Partha Sarathi Chatterjee, J.)