

19.06.2026

Item No.7
Ct.No.35
dc.

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (NDPS) 1023 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 Berhampore Police Station Case No. 269 of 2024 dated 22.02.2024 under Sections 21(c)/25/27A/28/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Ashraf Hossain Chowdhury**

... Petitioner.

Mr. Ayan Bhattacharjee, Sr. Adv.,
Ms. Ritu Das

... For the Petitioner.

Mr. Kallol Mondal, Ld. PP,
Mr. Shataroop Purkayastha,
Mr. Anamitra Banerjee

... For the State.

Learned senior advocate appearing for the petitioner submits that the petitioner is in custody for 2 years 2 months and pursuant to the earlier direction passed in the month of November, 2025, only three more witnesses have been examined. There is no possibility of the trial concluding in near future as large number of witnesses have been relied upon by the prosecution. As such, petitioner prays for bail considering the tenure he has already been in custody.

Learned Public Prosecutor appearing for the State, on the other hand, opposes the prayer for bail and submits that all efforts have been taken by the prosecution; no stone was left unturned; however, the case could not proceed according to the speed because of the two reasons – (i) on each date when the examination-in-chief of the prosecution witness

was completed, adjournment was sought for another date to cross-examine the concerned witness and (ii) the learned Judicial Officer was also engaged on SIR duties. It has been submitted that there are 12 more witnesses who are to be examined and so far as the merits of the case is concerned, earlier the prayer for bail of the petitioner was rejected on four occasions by this Hon'ble Court.

I have taken into account the period of detention of the present petitioner which is very disturbing. However, having considered the merits of the case, a last opportunity is granted to the State, as prayed for by the learned Public Prosecutor, so that prosecution will put in efforts to complete all the witnesses by 01.12.2026. The petitioner would cooperate and will not seek unnecessary adjournment.

Learned Trial Court would appreciate the period of custody of the present petitioner and fix dates consecutively for each of the witnesses so that trial of the case is completed within the schedule stated above. No unnecessary adjournment should be granted to any of the parties and trial of the case would continue in spite of any resolution of the local Bar.

The Public Prosecutor conducting the case would produce all the alamats on the date fixed for trial.

If learned Trial Court finds that in spite of all cooperation extended by the accused person, evidence of the prosecution witnesses could not be completed within 01.12.2026, learned Trial Court thereafter in an application for bail on behalf of the petitioner would release the present

petitioner viz. **Ashraf Hossain Chowdhury** on bail on such terms and conditions as it deems fit and proper, Learned Trial Court will also impose conditions for ensuring further appearance of the petitioner before the learned Trial Court.

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

The application for bail, being CRM (NDPS) 1023 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.)