

29.06.2026
Court No.35.
D/L. 165.
Kausik
(Rejected)

CRM (NDPS) 1109 of 2026

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure, 1973 in connection with Baishnabnagar
Police Station Case No. 857/2024 dated 21.08.2024 under
Section 21(C)/25/29 of the NDPS Act.

And

In the matter of : Shish Mohammad @ Shishu Mia

.....Petitioner.

Mr. Arup Kumar Bhowmick

.....for the Petitioner.

Mr. Sagar Saha

.....for the State.

Learned advocate appearing for the petitioner submits
that the petitioner is in custody for 1 year and 10 months and
the alleged recovery, in the present case, is 320 Gms. of Yaba
Tablets. Charges, till date, according to the petitioner, have not
been framed and prosecution has relied upon 13 witnesses in
order to prove its case.

State has submitted a report. Report reflects that delay
is because of one of the accused persons absconding. There
was earlier rejections of bail of the present petitioner.

Having considered the time period for which the
petitioner is in custody, I direct the learned Trial Court to
overcome the stage of consideration of charges within a month
from the next date fixed. Thereafter, give priority to the

evidence of the seizure list witnesses. If after the evidence of the seizure list witnesses are over, the learned Trial Court is of the opinion that the rigors of Section 37 of the NDPS Act has been diluted, in such circumstances, learned Trial Court would leniently consider the prayer for bail of the petitioner.

At this stage, CRM (NDPS) 1109 of 2026 is **dismissed**.

Memo of Evidence submitted by the State be kept with the record.

All parties shall act in terms of server copy of the order 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.)