

05.06.2026
(D/L 116)
Ct. No.2
Vacation Bench
REJECTED
(S.M) (B.K.N)

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (NDPS) 1135 of 2026

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 arising out of Rajapur P.S. Case No. 133 of 2025 dated 12.05.2025, corresponding to Charge Sheet No. 299/2025 dated 05.11.2025, for purported offences punishable under Sections 20(b)(ii)(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, read with Sections 318(2), 318(3) and 61(2) of the Bharatiya Nyaya Sanhita, 2023, pending in the Court of the Learned Special Judge, NDPS Court, Howrah.

In the matter of : **Saroj Mahana @ Rilu**

... Petitioner

Mr. Sandip Dinda

... for the petitioner

Mr. Rajesh Shah

... for the State

1. I have heard the submissions of the learned counsel for the petitioner as well as the learned counsel representing the State.
2. The prayer has been made on the ground of inordinate delay even if framing of charge.
3. It is submitted by the learned advocate for the petitioner that the petitioner is innocent and there were two vehicles involved. The further submission is that the petitioner has endured a prolonged delay over a year without any meaningful progress in the trial. Accordingly, it violates the Article 21 of the Constitution of India.
4. The prosecution raises objection.

5. On careful consideration of the entire facts of the case, the quantity involved in this case certainly attracts rigors of Section 37 of the NDPS Act. This Court considering all facts and circumstances is not inclined to allow the prayer as the parameters are under Section 37 of the NDPS Act is not satisfied.
6. Accordingly, the prayer stands rejected.
7. CRM(NDPS) 1135 of 2026 is dismissed.
8. The learned Trial Court is directed to strictly follow the stipulated time period in disposing of the case under NDPS Act considering the period of detention and to make all endeavour to frame all charges at the earliest.
9. Liberty is given to the petitioner to approach the Court in such situation.

[Chaitali Chatterjee (Das), J.]