

11.06.2026

Item No.21

Ct.No.35

dc.

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (NDPS) 1125 of 2026

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Kotwali Police Station Case No. 478 of 2024 dated 04.05.2024 under Sections 21(c)/25/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Baban Dutta @ Bapan @ Babon**

... Petitioner.

Mr. Joydeep Biswas,
Mr. Amanul Islam,
Mr. Sourav Mukherjee,
Mr. Kaushik Ghosh

... For the Petitioner.

Mr. Anamitra Banerjee

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody since 04.05.2024. The subject-matter of the case relates to alleged recovery of 10,000 bottles of Phensedyl. Till date, not even a single witness has been examined, although charges have already been framed.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that rigors of Section 37 of the NDPS Act are attracted.

It is not out of place to state that although the provision of Section 37 of the NDPS Act is attracted, but for indefinite period an accused cannot be kept behind the bars without any progress of the trial. As such, as a matter of last chance, I direct that the prosecution will tender the seizure

list witnesses on the next date and subsequent schedule fixed by the learned Special Court. Efforts be exerted to complete the evidence of seizure list witnesses within a period of three months from the date of communication of this order.

In spite of cooperation of the accused person, if the evidence of the seizure list witnesses is not completed within the time period as referred to above, the learned Trial Court would be at liberty to release the petitioner viz., **Baban Dutta @ Bapan @ Babon** on bail on such terms and conditions as it deems fit and proper.

With the aforesaid observations, the application for bail, being CRM (NDPS) 1125 of 2026, is 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.)