

19.06.2026

Sl. No. DL 29
Court No. 35

Asraf, A.R.(Ct.)

In the High Court at Calcutta
Criminal Miscellaneous Jurisdiction

Case No.

CRM (NDPS) 1141 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 Gaighata Police Station case no.778 of 2024 dated 28.08.2024 under Sections 21(C), 25, 27A and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

-AND-

In the matter of :

RAFIKUL SEKH

.....Petitioner

For the Petitioner :

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha

...Advocates

For the State :

Mr. Sagar Saha
Ms. Nayana Mulhopadhyay

...Advocates

1. Learned advocate appearing for the petitioner submits that the petitioner is in custody since 28th August, 2024 and the alleged recovery in the present case is of 27,600 bottles of phensedyl. Prosecution has relied upon 14 witnesses and till date only one witness has been examined. As such, the petitioner may be released on bail.
2. Learned advocate appearing on behalf of the State submits that on 16th January, 2026 in Special Leave to Appeal (Crl.) No.17469 of 2025 the Hon'ble Supreme Court was pleased to reject the prayer for bail of the co-accused and granted a year's time to complete the trial of the case.

3. Having considered that the said time period is not over, I am of the opinion that at this stage, the prayer for bail of the petitioner is to be rejected. If the trial is not completed within the specified time as fixed by the Hon'ble Supreme Court, the petitioner would be at liberty to approach this Court after the aforesaid time period.
4. With the aforesaid observations, **CRM(NDPS) 1141 of 2026** is **dismissed**.
5. Case diary be returned to the learned advocate appearing for the State.
6. All parties shall act on the basis of server copy of this order duly downloaded from the official website of this Court.
7. Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Tirthankar Ghosh, J.)