

15.06.2026

Item No.19

Ct.No.35

dc.

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (NDPS) 1146 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Dhubulia Police Station Case No. 87 of 2025 dated 03.03.2025 under Sections 21(c)/22(c)/25/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Gobinda Biswas alias Rahul**

... Petitioner.

Mr. Angshuman Chakraborty,
Mr. S. S. Saha

... For the Petitioner.

Mr. Gouranga Kumar Das, APP,
Ms. Nayana Mukhopadhyay

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is innocent being a driver of a private vehicle which was boarded by other persons from whom 4.57 kgs. of Heroin was recovered, consequent to which petitioner is in custody since 03.03.2025. Learned advocate submits that earlier there was direction of this Court to take the trial of the case to its logical conclusion within a reasonable period of time, but till date only one witness has been examined and the next date has been fixed for evidence of PW-2 and prosecution intends to examine 11 witnesses in support of its case. As such, on any stringent condition, petitioner prays for bail.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that huge quantity of contraband was recovered from a private vehicle. *Prima facie*, there are materials with the prosecution to

signify the relationship between the accused persons who were boarding the vehicle and the person who was driving. Further it has been pointed out by the State that the prayer for bail of another accused in the present case has been rejected in Special Leave to Appeal (Crl.) No(s). 2127/2026.

Records of the case reflect that the petitioner is in custody for 1 year 3 months. The progress of the trial is very slow, but the same cannot solely be contributed to the learned Trial Court in view of other administrative works with which the Trial Courts were engaged. Having considered the quantum of recovery of contraband in the present case as also the slow progress of the case, I direct the learned Trial Court to complete at least the evidence of vital witnesses including the seizure list witnesses at the earliest preferably within a period of four months from the date of communication of this order.

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

The application for bail, being CRM (NDPS) 1146 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.)