

19.06.2026

Sl. No. DL 33
Court No. 35

Asraf, A.R.(Ct.)

In the High Court at Calcutta
Criminal Miscellaneous Jurisdiction

Case No.

CRM (NDPS) 1151 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 Bishnupur Police Station case no.1077 of 2024 dated 05.11.2024 under Sections 20(b)(ii)(c), 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

-AND-

In the matter of :

TOHID MOLLA

.....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 the driver of the vehicle wherefrom 86 KGs of Ganja were recovered in this case. The owner of the vehicle has been granted bail. As such, the petitioner may be released on bail since charges has not been framed till date.
2. Learned advocate appearing on behalf of the State opposes the prayer for bail.
3. I have considered the submissions of the learned advocates appearing on behalf of the respective parties.

4. Having considered the quantum of seizure in the present case, I am of the opinion that the rigors of Section 37 of the Narcotics Drugs and Psychotropic Substances Act, 1985 is attracted.
5. As such, the prayer for bail is **rejected** at this stage.
6. However, the State should appreciate that for an indefinite period, an accused cannot be kept in custody. Consequently, I direct the learned Trial Court to overcome the stage of consideration of charges at the earliest and give priority to the examination of the seizure list witnesses. If the aforesaid process is not completed within a period of six months from the next date fixed, the learned Trial Court will release the petitioner on bail on such terms and conditions as it deems fit and proper.
7. With the aforesaid observations, **CRM(NDPS) 1151 of 2026** is **dismissed** at this stage.
8. Case diary be returned to the learned advocate appearing for the State.
9. All parties shall act on the basis of server copy of this order duly downloaded from the official website of this Court.
10. Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Tirthankar Ghosh, J.)