

D/L458
30.03.2026
Bpg.
Dismissed

C.R.M. (NDPS) 1571 of 2025

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, corresponding to Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Bhadreswar Police Station Case No.426 of 2024 dated 23.10.2024 under Sections 21(c)/25/28/29 of the Narcotic Drugs and Psychotropic Substances Act;

Shiva Mishra
Versus
The State of West Bengal

Mr. L. Visal Kumar
Ms. N. Mukhopadhyay.
...for the petitioner.

Mr. Joydeep Biswas
Ms. Ayana Dey.
...for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody since 23rd October, 2024, i.e. for more than 1 year 5 months, charges till date have not been framed and the petitioner is unnecessarily languishing in jail.

Learned advocate for the State submits that the next date has been fixed before the learned trial court for consideration of charges.

Learned trial court would overcome the stage of consideration of the charges and would not wait for any supplementary charge-sheet to be submitted as substantial time has passed. If at the appropriate stage the prosecution feels to file supplementary charge-sheet, prosecution would be at liberty to file

such charge-sheet. If there are absconding accused persons, case against the said accused persons should be filed and, if required, trial be conducted in absence of the said accused persons in accordance with the new provisions of BNSS. The learned trial court if it is pleased to frame the charges would give priority to the seizure list witnesses at the inception for being examined by the prosecution. Petitioner would be at liberty to approach this Court after the evidence of seizure list witnesses are over.

At this stage, CRM(NDPS)1571 of 2025 is dismissed.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)