

**In the High Court at Calcutta  
Circuit Bench at Jalpaiguri  
Criminal Miscellaneous Jurisdiction**

19.03.2026  
03  
Ct. No. 07  
S.D.

**C.R.M.(NDPS) 134 of 2026**

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Kalimpong** Police Station Case No. **260** of **2022** dated **24.09.2022** under Sections 22(c) of the N.D.P.S. Act, 1985.

And

In Re: Suraksha Chhetri

..... petitioner

Mr. Avinash Kalikotey

Mr. Mayank Bhandari

Mr. Nishant Nav Rasaily

...for the petitioner

Mr. Aditi Shankar Chakraborty, Ld. A.P.P.,

Mr. Tapan Bhattacharjee

....for the State

Petitioner renews the prayer for bail on the ground of delay in trial.

Learned advocate appearing for the petitioner submits that the first rejection was on September 10, 2024 when 9 (nine) out of 14 (fourteen) prosecution witnesses were examined. He draws the attention of the Court to the second order of rejection dated February 21, 2025 and submits that even then only 9 (nine) prosecution witnesses were examined as on date. He submits that 10 (ten) prosecution witnesses were examined. Even, yesterday which was the date fixed for adducing the evidence of the prosecution, no prosecution witness turned up.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 1265 days.

State is represented.

State will submit a report as to why prosecution witnesses are not attending the Court on the dates of hearing. Such report be submitted at the level of the Superintendent of Police. The report will tabulate the dates of the trial and the dates on which the prosecution witnesses were present as well as absent. He will in his report state reasons for the absence of the prosecution witnesses. He will take suitable measures so that all prosecution witnesses are made available at the time of recording of the evidence.

List the application for bail on March 25, 2026 when the report as called for be submitted.

**(Debangsu Basak, J.)**