

07.07.2026
Sl. No.72
Court No.7
SD
(Rejected)

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (NDPS) 377 of 2026

In Re: An application for bail under Section 483 of the Bharatiya Nagrik Suraksha Sanhita, 2023 filed in connection with NJP GRPS Case No.13 of 2025 dated 16.02.2025 under Section 8(c)/21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

In Re : Bablu Molla

... Petitioner

Mr. Ujjwal Luksom

... for the Petitioner.

Mr. Avrojyoti Das, Ld. APP

Mr. Uday Bhattacharjee

Ms. Madhushri Dutta

... for the State.

1. The petitioner is in custody for 510 days.
2. It has been submitted that there is enough delay in trial for which his prayer for bail ought to be allowed.
3. On the ground of violation of Article 21 of the Constitution of India, learned advocate for the petitioner relies on the judgment delivered by the Hon'ble Supreme Court in the matter of *Rabi Prakash vs. The State of Odisha* [Special leave to Appeal (Crl.) No(s).4169/2023] reported in 2023 LiveLaw (SC) 533 wherein the Court considered the prolonged incarceration of the appellant and granted conditional bail.
4. Learned advocate representing the State opposes the prayer for bail.
5. It has been submitted that the earlier application for bail being CRM (NDPS)/41/2026 filed by the petitioner was dismissed as 'not pressed' on March 17, 2026.

6. On a perusal of the order in Rabi Prakash (supra), it appears that the NDPS case was registered in the year 2019 and the appellant reached up to the Hon'ble Supreme Court in the year 2023. Such is not the case here.
7. From the documents annexed to the application for bail, it appears that commercial quantity of contraband substance was recovered from the conscious possession of the petitioner.
8. The petitioner is unable to overcome the rigours of Section 37 of the NDPS Act.
9. The prayer for bail of the petitioner cannot be allowed at this stage.
10. The application stands dismissed.
11. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.
12. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)