

22.07.2026

Item No.5

Ct.No.35

dc.

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (NDPS) 1039 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Rampurhat Police Station Case No. 231 of 2025 dated 14.05.2025 under Sections 20(b)/22 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Saurav Kumar Das**

... Petitioner.

Ms. Ashima Mandla,
Ms. Mandaki Singh,
Ms. Ritu Das

... For the Petitioner.

Mr. Rajendra Banerjee, APP,
Mr. Ramashis Mukherjee

... For the State.

Learned advocate appearing for the petitioner submits that the subject-matter of the present case relates to alleged recovery of 47 kgs. of Ganja and petitioner is in custody for 1 year 2 months. It has been submitted that similarly placed accused person has already been granted bail on 02.02.2026 in CRM(NDPS) 1615 of 2025 and there has been delay in sending the samples to the Forensic Laboratory.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and produces the case diary.

I have taken into account the locus of the present petitioner in relation to the other accused who has been granted bail in CRM (NDPS) 1615 of 2025. The seizure list reflects that from the exclusive possession of the present petitioner, seizure was effected and subsequently the other

accused who has been granted bail was arrested. Both the accused persons are not on the same footing.

It has also been brought to the notice of this Court that date has been fixed for consideration of charges. Having regard to the period of detention of the present petitioner, I am of the opinion that the petitioner has failed to overcome the rigours of Section 37 of the NDPS Act. As such, the prayer for bail of the petitioner is **rejected** at this stage.

The learned Trial Court is directed to give priority to the evidence of the seizure list witnesses preferably within a period of three months from the date of consideration of charges.

Memo of Evidence submitted by the learned advocate appearing for the State be kept with the record.

Mr. Rajendra Banerjee, learned APP along with Mr. Ramashis Mukherjee, learned advocate was directed to appear on behalf of the State. Their appointment may be regularised by the concerned authorities.

The application for bail, being CRM (NDPS) 1039 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.)