

M/L 253
12.09.2025
Bpg.
ct.no.35

W.P.A.3943 of 2025

**Gajlu Sheikh @ Sk
Versus
The State of West Bengal & ors.**

Mr. Arnab Saha
Mr. Abhimanyu Banerjee
Mr. Santanu Sett.
...for the petitioner.
Ms. Sonal Sinha
Ms. Ashmita Ghosh.
...for the State-respondents.

Petitioner complains that his son has been illegally detained in connection with Special Case 64 of 2024 arising out of Kaliachak Police Station Case No.1255 of 2024 which was registered for investigation under the relevant provisions of the NDPS Act. Learned advocate submits that the petitioner's son was a student at the relevant point of time. To that extent, documents were placed before the learned special court.

On consideration of the relevant documents, I am of the view that in case the petitioner complains that his son's juvenility is under challenge he would approach the revisional court since a finding/judicial order has been pronounced by the learned special court by its order dated 12.09.2024. I find that the police custody of seven days was granted by the learned special court and it is reflected from the

report submitted on behalf of the State that pursuant to the statement of the present petitioner from his house 308 grams of brown sugar were recovered from the bedroom. So far as truth and falsity of the accusations are concerned, the same is a subject matter of trial. So far as the legality and the illegality of the arrest is concerned, I am of the view that the learned special court had recorded its subjective satisfaction on the date of production. Consequently, I am of the opinion that no interference is called for at this belated stage. Petitioner will exhaust his remedies before the jurisdictional court under the relevant statutory provisions.

With the aforesaid observations, WPA 3943 of 2025 is disposed of.

There will be no order as to costs.

Report submitted be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)