

06.08.2025
Item No.42
AB
Rejected

C.R.M. (NDPS) 408 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Beldanga Police Station case no.563 of 2023 dated 23.07.2023 under Sections 20(b)(ii)(c)/29 of the NDPS Act, 1985.

And

In the matter of : **Shahjamal Seikh @ Shahjmal Seikh**

.... Petitioner

Mr. Sujay Sarkar,
Mr. Musharaf Alam Sk.

...for the Petitioner

Ms. Amita Gour,
Mr. Kunal Ganguly

...for the State

Petitioner submits that the petitioner has been implicated in this case on the basis of co-accused statement and nothing was recovered from his possession and that he voluntarily surrendered before the Court on 10.03.2025 and since then, he is in custody.

He further submits that 25.5 kilograms of ganja was allegedly recovered from one Gulam Murtuja but he obtained bail from this Court and the prosecution proposes to examine 10 witnesses. They could examine so far 3 witnesses and the prosecution failed to bring any witness for last three dates and as such, nobody knows when the trial would be concluded and considering all these, he may be released on bail on any terms and conditions.

Learned Counsel appearing on behalf of the State opposes the bail prayer contending that the seizure list discloses that the contraband was recovered from the house of

the present petitioner and the petitioner's anticipatory bail was rejected on 7.2.2024 and thereafter he absconded for about one year one month and he ultimately surrendered on 10.03.2025 when the warrant of arrest was issued against him.

Having considered the submissions made on behalf of the petitioner and the State and also on perusal of the materials available in the case diary, there are reasons to believe that the petitioner is guilty of committing the offence and as such, the restriction imposed in Section 37 of the NDPS Act attracts in respect of the present petitioner. Therefore, the prayer for bail is rejected.

Accordingly, CRM (NDPS) 408 of 2025 is disposed of.

Urgent Photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)