

24.06.2025

CRM (NDPS) No. 436 of 2025

akb

Sl. 36

Ct.29

Rejected

In re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection Case No. N – 77 of 2024 arising out of NCB Crime No. 15/NCB/KOL/2024 dated 06.09.2024 under Section 8(C)/21(C)/25/27(A)/29 of the NDPS Act, 1985.

And

In re: Md. Sajid ... petitioner.

Mr. Prajnadeepta Roy

Mr. Naser Ali

Ms. Sohini Kundu

Mr. Debajyoti Goswami

Mr. Jaimallya Bhattacharya

...for the petitioner

Mr. Kallol Kumar Basu

Mr. R.R.Mohanti

...for the State

Medical Report of petitioner, dated 24.06.2025, sent in terms of order dated 13.05.2025 is taken on record.

It is submitted on behalf of the petitioner that the petitioner is in custody since 22.01.2025 and he is suffering from Cancer (2nd Stage) and he has been implicated falsely in the present case and nothing was recovered from his possession and as such he may be released on bail on any terms and conditions.

Learned Counsel appearing on behalf of the State vehemently opposed the bail prayer and contended that 14,998 bottles of Cough Syrup was recovered from a truck which was driven by co-accused Dharmendra Singh. He further submits that investigation reveals that the present petitioner after taking loan purchased the said vehicle in the name of his son-in-law, Mr. Chand, who is also an accused of this case. He further submits that medical report dated 24.6.2025 disclosed that he refused for the treatment in writing, despite counseling and he is currently being treated for intermittent melena and is also under cardiology care. Medical report further states that he

is clinically stable and fit.

Having considered the submissions made on behalf of both the parties and also considering the materials so far collected during investigation and also considering the medical report submitted by the learned Counsel for the NCB, I find that since rigour of Section 37 of the NDPS Act attracts in the present case in respect of the present petitioner he is not entitled to be released on bail and as such the prayer for bail is considered and rejected.

The application, being CRM (NDPS) 436 of 2025 is accordingly disposed of.

(Dr. Ajoy Kumar Mukherjee, J.)