

27.11.2025
Serial no. 76
[G.S.D]

CRM (NDPS) 593 of 2025

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with **PTN Case No. 02 of 2025 arising out of Malda Town GRPS PS Case No. 01 of 2025 dated 05.01.2025 u/s 21(c)/29 of the NDPS Act, 1985.**

-And-

In the matter of : Jakir Hossain

	 Petitioner(s)
Mr. Akash Ghosh	
	... for the Petitioner(s)
Mr. Ranadeep Sengupta	
Ms. Sreetama Das	
	... for the State-respondent(s)

Learned advocate for the petitioner challenges the issue relating to grounds of arrest not having been supplied.

However, in view of the decision of the Hon’ble Apex Court in [*Mihir Rajesh Shah –vs- State of Maharashtra & Anr in Crl No. 2195 of 2025*] wherein it has been held that the custom of supplying the grounds of arrest would apply ‘henceforth’, as such, I am of the opinion that at the relevant point of time, if there was any anomaly, the same should not enure any benefit to the accused.

However, it has been contended on behalf of the State that 461 gm of heroine were seized from the possession of the petitioner; charge-sheet has already been submitted and charge has been framed. Learned advocate also submits that the petitioner is in custody for about 11 months.

Having considered the totality of the circumstances, I am of the opinion that the petitioner has been unable to overcome the rigours of Section 37 of the NDPS Act.

Hence, the prayer for bail of the petitioner is **Rejected.**

The trial court is directed to expedite the proceeding.

Accordingly, CRM(NDPS) 593 of 2025 is **dismissed.**

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)