

27.11.2025
Serial no. 78
[G.S.D]

CRM (NDPS) 594 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 **NDPS Case No. 64 of 2024 arising out of Kaliachak PS Case No. 1255 of 2024 dt. 13.08.2024 u/s 21(c)/25/27A/29 of the NDPS Act.**

-And-

In the matter of : Abdul Samad @ Arman

... .. Petitioner(s)

Mr. Akash Ghosh

... for the Petitioner(s)

Ms. Shreyoshee Biswas
Mr. Tirupati Mukherjee

... for the State-respondent(s)

Learned advocate for the petitioner prays for bail as only miniscule of quantity of brown sugar was recovered from the possession of the petitioner and he has been implicated in connection with the instant case. Learned advocate again submits that the petitioner is in custody since September, 2024 and there has hardly been any progress in the case before the learned Special Court.

Learned advocate for the State, on the other hand, opposes the prayer for bail and submits that 1.386 kg of brown sugar is the total subject-matter of the case.

Having considered that further recoveries were made in the present case, Sections 29 and 37 of the NDPS Act have been attracted, as such, I am not inclined to enlarge the petitioner on bail.

Learned advocate for the petitioner additionally has taken up the issue relating to grounds of arrest not having been supplied.

However, in view of the decisions 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.

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

The trial court is directed to expedite the proceeding.

Accordingly, CRM(NDPS) 594 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.)

