

12.08.2025
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Bd.

C.R.M. (NDPS) 671 of 2025

In Re:- An application for Bail under Section 439 of the Criminal Procedure Code as amended/ under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with NDPS case no. 23 of 2025 arising out of Sagarpara Police Station case no. 148 of 2025 dated 12.02.2025 under Sections 21(c)/29 of the NDPS Act, 1985.

And

In the matter of : **Masidul Sk @ Toni Sk @
Toni Kalu @ Masadul Sk.**

.... Petitioner

Mr. Tapodip Gupta

...for the Petitioner

Mr. Bibaswan Bhattacharya
Mr. Arup Sarkar

...for the State

Learned counsel appearing on behalf of the petitioner submits that nothing was recovered from his possession in connection with the instant proceeding and he is in custody for about four months though investigation has already been culminated into a charge-sheet. He further submits that in the other criminal cases the petitioner is on bail and as such the rigour of section 37 of the NDPS Act does not attract in respect of the present petitioner and he was shown arrested on 6th March, 2025.

Learned counsel appearing on behalf of the State vehemently opposed the bail prayer and contended that 897 bottles of cough syrup containing codeine phosphate was recovered from one Jamarul Sk. who was caught red handed. The other accused persons including present petitioner managed to fled away from the spot. However, following the

statement of Jamarul Sk. name of the present petitioner transpired and following the statement of the present petitioner, one Younus Ali was arrested and 100 bottles of phensedyl was further recovered from his possession. Therefore it is evident in investigation that petition is a part of organized crime.

Having heard learned counsel appearing on behalf of the petitioner and the State and on perusal of the materials collected during investigation it appears that rigour of section 37 of the NDPS Act clearly attracts in respect of the present petitioner and as such the prayer for bail is considered and rejected.

Accordingly, CRM (NDPS) 671 of 2025 is disposed of.

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

(Dr. Ajoy Kumar Mukherjee, J.)