

19.06.2025

akb

Sl. 12

Ct.29

Rejected

CRM (NDPS) No. 665 of 2025

In re: An application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with Nodakhali
Police Station Case No. 495 of 2024 dated 21.12.2024 under Section
20(b)(ii)/c of the NDPS Act, 1985 corresponding to NDPS Case No. 53
of 2024.

And

In re: Rabindranath Naskar alias Subodh Naskar
... petitioner.

Mr. Mayukh Mukherjee

Ms. Shayanti Poddar

Mr. Kaustav Bhattacharya ...for the petitioner

Mr. Pravash Bhattacharya

Ms. Jonaki Saha ...for the State

Petitioner submits that the petitioner is in custody since
27.02.2025 and that 25.26 kgs. of Ganja was allegedly recovered from
the possession of the petitioner. Investigation has already been
culminated into a charge sheet. The charge has not yet been framed.
He further submits that it will take long duration to conclude the trial
and his further contention is that videography in connection with the
search and seizure was not done in accordance with law in terms of
the judgment passed by this Court in **Kalu Sk. (2022 Live Law (Cal)**
255). He further submits that the petitioner has been falsely
implicated due to political rivalry and that earlier he was arrested in
connection with a case under Section 307 of the IPC and only to keep
him behind the bar, he has been tagged with the present proceeding.

Learned Counsel appearing on behalf of the State opposed the
bail prayer contending that the entire search and seizure was done in
accordance with law and the videograph was also done in connection
with the search and seizure on the spot. He further submits that the
trial is going to be commenced soon and that commercial quantity of
narcotic substance was recovered from the joint possession of the

petitioner.

I have considered the submissions made on behalf of both the parties. In view of the facts and circumstances of the case and the materials collected so far during investigation by the investigating authority, I find that rigour of Section 37 of the NDPS Act attracts in the present case in respect of the present petitioner and as such the prayer for bail is considered and rejected.

The application, being CRM (NDPS) 665 of 2025 is accordingly disposed of.

(Dr. Ajoy Kumar Mukherjee, J.)