

15.07.2025
Item no.28
Ct. No. 29
BD.

C.R.M. (NDPS) 753 of 2025

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 in connection with Itahar Police Station Case No. 556 of 2024 dated 10.09.2024 under section 20(b)(ii)(c) of the NDPS Act, 1985 corresponding to NDPS Case No. 25/2024.

In the matter of : **Hasanuj Jaman** Petitioner.

Mr. Asemes Goswami
Mr. S.K. Abdus Salam
Mr. Subrata Mukherjee
Mr. Vaskar Paul
Mr. Pritam Banerjee ...for the Petitioner.

Mrs. Sreyashee Biswas
Ms. Puspita Saha ...for the State.

Bail prayer of the present petitioner was rejected by this Court vide order dated 29th April, 2025 in CRM (NDPS) 386 of 2025. Petitioner's contention is that in that order it was erroneously recorded on the basis of prosecution that the petitioner is the owner of the vehicle wherefrom the contraband substance was seized but the vehicle is actually owned by some other person namely Nirmal Das, and accordingly he is entitled to be released on bail on any terms and conditions.

Upon hearing learned counsel appearing on behalf of the petitioner and the State it appears that 20.956 Kgs. of ganja was allegedly recovered from the vehicle and the petitioner was found within the vehicle at the

time of recovery and he has also put his signature on seizure list.

In such view of the matter, rigour of section 37 of the NDPS Act, clearly attracts in respect of the present petitioner in this case and as such the prayer for bail is considered and rejected.

CRM (NDPS) 753 of 2025 is accordingly disposed of.

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

(Dr. Ajoy Kumar Mukherjee, J.)