

20.08.2025
Court No.29
Item No.57
(Rejected)

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (NDPS) 777 of 2025

ab

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 filed on 19.6.2025 in connection with Kaliachak Police Station Case No. 98 of 2025 dated 23.01.2025 under Sections 21(C)/27A/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Sections 25(1-B)(a)/27/35/125(6)/25(8) of the Arms Act and Section 61(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023;

And

In the matter of : **Barun Mandal and another**

...Petitioners.

Mr. Arup Kumar Bhowmick.

...For the Petitioner.

**Mr. Antarikhya Basu,
Mr. Dipankar Pramanick.**

...For the State.

1. Bail prayer of petitioner no. 1, Barun Mandal, is not pressed. Hence, rejected.
2. The prosecution case is that 100 bottles of phensedyl cough syrup containing codeine phosphate along with arms and ammunition were recovered from the joint possession of the present petitioners, namely, Barun Mandal and Mithu Sk. Thereafter following the statement of petitioner no. 1, Barun Mandal, 130 bottles of cough syrup was further recovered from the house of Barun Mandal.
3. Prosecution further case is that seven accused persons are still absconding and the petitioner herein is in custody since 23rd January 2025.
4. Having heard the learned Counsel appearing on behalf of the petitioner and the State and the materials placed before me, it appears that the petitioner has failed to overcome the rigor of Section 37 of the NDPS Act and, as such, his prayer for bail is considered and rejected.

5. However, the trial Court is requested to make every endeavour to frame charge at an earliest and if required by splitting the case record in connection with the absconding accused.
6. Accordingly, CRM (NDPS) 777 of 2025 is disposed of.
7. 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.)