

26.09.2025

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Rejected

C.R.M. (NDPS) 805 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with PTN case no. 104 of 2025 arising out of Ratua Police Station case no. 71 of 2025 dated 2.2.2025 under Sections 18(b) of the NDPS Act 1985.

And

In the matter of : **Paresh Mandal**

.... Petitioner

Mr. Sagar Saha

Mr. N. Mukhopadhyay

...for the Petitioner

Mr. Subhamoy Bhattacharya

Mr. Bikram Mitra

...for the State

Allegation against the petitioner is that he has made illegal cultivation of opium in his land. Prosecution case is that 60 kg. of poppy plant was recovered from the field of the petitioner.

Learned counsel for the petitioner submits that the entire poppy straw has been destroyed except three sample plants and as such, it is not possible to ascertain as to what was the quantity of contraband allegedly recovered during search and seizure. He further submits that weighing machine was also not seized. Accordingly, he prays for bail on any terms and conditions.

Learned counsel for the State opposed the bail prayer contending that this is renewal of petitioner's bail prayer and his bail prayer was earlier rejected on 22.5.2025.

Having considered the submissions made on behalf of both the parties, I find that no new circumstances has arisen to consider the bail prayer favourably since last rejection order. It further appears that the points which petitioner is now agitating before this court, has already been agitated and on earlier occasion, this court was of prima facie view that the rigour of Section 37 of the NDPS Act clearly attracts in respect of the present petitioner. In such circumstances, the prayer for bail made by the petitioner is rejected.

Accordingly, CRM (NDPS) 805 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.)