

16.09.2025
Sl. no. 237
Ct. No. 29
P.M.

C.R.M. (NDPS) 839 OF 2025

In Re : An application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 in connection with Jiaganj Police Station Case No. 483 of 2024 dated 11.12.2024 registered for investigation into offences punishable under Sections 20(C)/29 of the NDPS Act relating to NDPS Case No. 134 of 2024.

And

In the matter of : **Niranjan Sarkar.**

.... Petitioner

Mr. Arnab Chatterjee,
Mr. Avik Ghosh
Mr. Chandan Mondal

.... For the petitioner

Mr. Bibaswan Bhattacharya,
Mr. Santanu Talukdar

... for the State

The petitioner submits that the prosecution submitted charge sheet on 9.06.2025 without chemical examination report and relying upon the judgement passed in Idul Mia's Case being CRM (NDPS) 1359 of 2024 the petitioner may be enlarged on statutory bail.

Learned counsel appearing on behalf of the State opposed the bail prayer contending that supplementary charge sheet has already been submitted along with the chemical examination report on 11.06.2025 and furthermore he relied upon Aanant Barman Case of this Court passed in CRM (NDPS) 1627 of 2024 and argued that the law laid down in Idul Mia is no longer a

good law and as such the petitioner is not entitled to be released on statutory bail on that ground.

He further submits that 49 Kg. 200 gms. ganja was recovered from the house of the present petitioner and as such the rigour of Section 37 of the NDPS Act attracts in the present case in respect of the present petitioner.

Having heard the learned counsel appearing on behalf of the petitioner and the State and that rigour of Section 37 of the NDPS Act clearly attracts in respect of the present petitioner and as such prayer for bail made by the petitioner is considered and rejected.

CRM (NDPS) 839 of 2025 stands disposed of.

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

(Dr. Ajoy Kumar Mukherjee, J.)