

04.12.2025

Sl. No. ML453
Court No. 35

REJECTED

Asraf, A.R.(Ct.)

In the High Court at Calcutta
Criminal Miscellaneous Jurisdiction
Appellate Side

Case No.

CRM (NDPS) 902 of 2025

In Re : An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Gaighata Police Station case no. 778 of 2024 dated 28.08.2024 under Sections 21(c), 25, 27A and 29 of the Narcotics Drugs and Psychotropic Substances Act, 1985.

-AND-

In the matter of :

RAFIKUL SEKH

.....*Petitioner*

For the State :

Mr. Joydeep Roy, Jr. Govt. Advocate
Mr. Arani Bhattacharyya

...*Advocates*

1. The facts of the case related to recovery of 27600 bottles of phensedyl. The petitioner is in custody for one year and two months and the case records reveal that out of eight accused persons who have been chargesheeted, one of the accused is still absconding. The case has been split up and charges have been framed on 17.11.2025. It has been submitted on behalf of the State that the evidence would commence from the next date so fixed.
2. Having considered the huge volume of the phensedyl, I am of the opinion that the rigors of Section 37 of the Narcotics Drugs and Psychotropic Substances Act, 1985 is attracted. It would not be fit and proper to release the petitioner on bail.

3. Consequently, **CRM(NDPS) 902 of 2025** is **dismissed**.
4. All parties shall act on the basis of server copy of this order duly downloaded from the official website of this Court.
5. Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(**Tirthankar Ghosh, J.**)