

26.09.2025
12.
Bd.
Ct.29
(Rejected)

C.R.M. (NDPS) 899 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 filed in connection with NDPS Case No. 77 of 2024 arising out of Kaliachak Police Station Case No. 1476 of 2024 dated 17.09.2024 under Sections 21(C)/25/27(A)/29 of the NDPS Act, 1985.

And

In the matter of : **Israful Sekh Petitioner.**

Mr. Shamik Bagchi ...for the Petitioner

Mr. Subhomoy Bhattacharya
Ms. Afreen Begum ...for the State

Prosecution case is that 355 gms. of heroine was recovered from the possession of the five accused persons including the present petitioner.

Learned counsel appearing on behalf of the petitioner submits that charge-sheet submitted six months back and charge has not yet been framed and he is in custody since 17.09.2024 i.e., for about one year, as such he may be released on bail on any terms and conditions.

Learned counsel appearing on behalf of the State opposed the bail prayer and contended that commercial quantity of contraband was recovered from his possession. The prosecution has already received chemical examination report, which is positive and as such the restrictions under the statute is applicable against the present petitioner.

Having heard 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, the prayer for bail made by the petitioner is considered and rejected.

Accordingly, CRM (NDPS) 899 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.)