

14.08.2025

AJ

Sl. 36

Ct.29

Rejected

CRM (NDPS) No. 925 of 2025

In re: An application for bail under Section 483 of the B.N.S.S. Act, 2023 filed in connection with P.T.N. 2575 of 2025 arising out of Golabari Police Station Case No. 153/2025 dated 28.04.2025 under Sections 21(C)/25/29 of the N.D.P.S. Act, 1985.

And

In re: Vijay Prakash Goel & Anr.

... petitioners.

Mr. Satadru Lahiri,
Mr. Binay Kumar Singh.

...for the petitioners

Mr. Ranabir Roy Chowdhury,
Mr. Subham Kanti Bhakat.

...for the State.

Learned counsel for the petitioners submits that the petitioner no.1 is 73 years old and suffering from various ailments. Moreover, the petitioners are holding drug licence and previously they were harassed in connection with a case being T.R. Case No. 35 of 2023 where the court directed to cause inventory of medicine shop of petitioners in presence of petitioners which is reflected from the Court's order dated 10th October, 2023. Thereafter the petitioner filed a writ application before this High Court as police had affixed a padlock in the shop. However, in that writ proceeding, the learned counsel for the State contended that they have not put any padlock in their shop room and for which this High Court had given him permission to break open the padlock. The petitioners also lodged a complaint against police personnel on 31st May, 2024 wherein they have specifically alleged that as the petitioners refused to entertain them, which they demanded from the petitioners a few days back, they have shut down the main shutter gate of their medical shop.

They have entangled the petitioners with the present case out

of vengeance. He further submits that they are innocent and are no way involved with the alleged offence and as such, they may be released on bail on any terms and conditions.

Learned Counsel appearing on behalf of the State vehemently opposed the bail prayer made by the petitioners contending that 1608 bottles of cough-syrup containing codeine phosphate has been recovered from the medical shop and godown of the present petitioners and the present petitioners failed to produce any document to show that they have the authority to deal or to possess such huge quantity of narcotic substance. The investigation has already been culminated into a charge sheet against them.

Having heard learned counsel appearing on behalf of the petitioners and the State and also on perusal of the materials available in the case diary, it appears that the petitioners have failed to overcome the restrictions imposed under Section 37 of the NDPS Act as such, the prayer for bail is considered and rejected.

Since the learned Counsel for the petitioners submits that the petitioner no.1 is an aged person and suffering from age old ailments, the Correctional Home shall make necessary arrangements for treatment of the petitioner no.1, if it demands.

The application, being CRM (NDPS) 925 of 2025 is accordingly 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.)

