

09.12.2025

Court No.35.

D/L. 7.

Kausik

(Rejected)

CRM (NDPS) 985 of 2025

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure, 1973 in connection with NRD Case No.
125/2024 arising out of NCB Crime No. 20/2024 under sections
20(b)(ii)(C)/25/29 of the NDPS Act, 1985;

And

In the matter of : Nur Islam Patoyari

.....Petitioner.

Mr. Sekhar Kr. Basu, Sr. Adv.

Mr. Soubhik Mitter

Ms. Rajnandini Das

Ms. Pranidhi Singh

.....for the Petitioner.

Mr. Himanshu De, Sr. Adv.

Ms. Arushi Rathore

.....for the State.

Learned advocate appearing on behalf of the petitioner
submits that petitioner is in custody for 322 days and has been
implicated in connection with the instant criminal case on the
accusation of recovery of 38.3 Kgs. of Ganja.

It has been contended that the petitioner was not
available and the exclusive possession of the petitioner has not
been established by the prosecution. In spite of the same, he is
being detained and has been implicated in connection with the
instant case.

Learned advocate for the NCB has submitted records of
the case available in support of the prosecution case including
the statement of one Sahadul Molla.

I have taken into account the overall circumstances of the case and prima facie, I am of the opinion, at least at this stage without the evidence having been completed, the rigors of Section 37 of the NDPS Act is attracted.

Consequently, the bail application being CRM (NDPS) 985 is dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)