

24.09.2025
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SB
Rejected

C.R.M. (NDPS) 998 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with NDPS case no. 79 of 2024 arising out of Baishnabnagar Police Station case no. 1011 of 2024 dated 22.9.2024 under Sections 21(c)/27A/29 of the NDPS Act 1985.

And

In the matter of : **Rafik Ali @ Rafikul @ Tofajul @ Tafa Sk.
@ Tafu**

.... Petitioner

Md. Wasim Akram

...for the Petitioner

Mr. Arindam Sen

Mr. Santanu Deb Roy

...for the State

Report submitted by the State dated 21.9.2025 and CDR details submitted by the State are taken on record.

Learned counsel for the petitioner submits nothing was recovered from the possession of the present petitioner and he is in custody for about 75 days and the investigation has already been ended in charge-sheet. Since his further detention is not required for the purpose of investigation, he may be released on bail on any terms and conditions.

Learned counsel for the State opposed the bail prayer contending that the sufficient incriminating materials have been collected during investigation against the present petitioner which discloses that the petitioner has direct involvement with the alleged offence. He further submits that it was found on several occasions, the present petitioner made

regular contact with other accused persons namely, Sanaul Sk, Daud Ibrahim and Badiruddin Sk. and it is found that there is continuous communication in between the present petitioner and the co-accused, Sanaul Sk. during his journey from Sahabajpur Kaliachak area on 19.9.2025 to Ranchi. He further submits that commercial quantity of narcotic substance was recovered from the possession of the accused, Sanaul Sk. on 22.9.2025 during his return journey from Ranchi. He further submits that the CDR reveals that the petitioner maintains continuous communication with the co-accused for the purpose of illegal narcotic substance and as such, the present petitioner has direct involvement with the present case.

Having considered the submissions made on behalf of both the parties and considering the materials placed before me, I find that the petitioner fails to overcome the restrictions imposed under Section 37 of the NDPS Act and there are prima facie reason to believe that the petitioner has direct involvement with the alleged offence and as such, the prayer for bail made by the petitioner is rejected.

Accordingly, CRM (NDPS) 998 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.)