

10.09.2025
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KAUSHIK
Rejected

C.R.M. (NDPS) 1043 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with **Kaliachak** Police Station case no. **1179** of **2025** dated **27.06.2025** under Sections 21(C)/27A/29 of the NDPS Act 1985.

And
In the matter of : **Ohedur Khan**

.... Petitioner

Mr. Arup Bhowmik ...for the Petitioner

Ms. Rituparna Ghosh
Mr. Karan Bapuli ...for the State

Learned counsel appearing on behalf of the petitioner submits that nothing was recovered from his possession and he was apprehended on the basis of co-accused statement. Though, he was taken 10 days police custody but nothing was recovered from his possession and he is in custody for about 62 days in all and as such he may be released on bail on any terms and conditions.

Learned counsel for the State opposed the bail prayer contending that the investigation is still continuing and investigation reveals that the petitioner fled away from the spot when the search and seizure were made. He further submits that they need to verify the statement of other accused persons and if at this stage he is enlarged on bail, there is every chance of his abscondence.

Having considered the submissions made on behalf of both the parties and that from the statements so far recorded by the investigating agency there are grounds for believing his prima facie involvement with the alleged offence and the investigation is still continuing and as such it can hardly be said at this stage that petitioner has succeeded to over the rigours of section 37 of the NDPS Act and as such the prayer for bail made by the petitioner is rejected.

Accordingly, **CRM (NDPS) 1043 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.)