

18.09.2025
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Rejected

C.R.M. (NDPS) 1103 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with PTN case no. 466 of 2025 arising out of English Bazar Police Station case no. 971 of 2025 dated 12.5.2025 under Sections 21(c)/27A/28/29 of the NDPS Act 1985.

And

In the matter of : **Md. Safikul Islam**

.... Petitioner

Mr. Sabyasachi Banerjee, Sr. Adv.

Mr. Nigam Ashish Chakraborty

Mr. Agniva Banerjee

Ms. Ankita Paul

...for the Petitioner

Ms. Sreyashi Biswas

Mr. Tirthankar Dhali

...for the State

Learned counsel for the petitioner submits that the petitioner is in custody for about 115 days and as per FIR story at best, the allegation under the Prevention of Corruption Act can be levelled against the present petitioner. In view of the facts and circumstances of the case and also considering his period of detention and that the charge-sheet has not be submitted within the statutory period for alleged offence which comes under the Prevention of Corruption Act, he may be released on bail. He further submits that nothing was recovered from his possession and Google location as annexed with the application, shows that at the relevant point of time, he was not on the spot nor the allegation of selling drugs has been levelled against him.

Learned counsel for the State opposed the bail prayer contending that the main allegation against the present petitioner is about money trailing and he has also pointed out the materials in the case diary including the statements recorded under Section 161 and 164 of the Code of Criminal Procedure and also the seizure list. He further contended that the Google location which has been relied by the petitioner, might have been used from another device and the prosecution needs to verify all these issues and the investigation is still continuing and it is too early to say that the allegation against the NDPS Act does not lie against the present petitioner.

Having considered the submissions made on behalf of both the parties and that investigation is still in progress and there are incriminating materials against the present petitioner, the prayer for bail made by the petitioner is rejected at this stage.

However, the petitioner will be at liberty to renew his bail prayer after submission of charge-sheet by the prosecution, if situation demands in support of his contention.

Accordingly, CRM (NDPS) 1103 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.)