

19.12.2025

Item No.DL44
Court No. 35

REJECTED

Asraf, A.R.(Ct.)

In the High Court at Calcutta
Criminal Miscellaneous Jurisdiction
Appellate Side

Case No. **CRM (NDPS) 1150 of 2025**

In Re : An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Nakashipara Police Station Case No. 236 of 2025 dated 05.03.2025 under Sections 20(b)(ii)(c) and 29 of the Narcotics Drugs and Psychotropic Substances Act, 1985.

-AND-

In the matter of :

TAPASH DEBNATH

.....Petitioner

For the Petitioner :

Mrs. Karabi Roy

...Advocate

For the State :

Mr. Ranabir Roy Choudhury
Mr. Arani Bhattacharyya

...Advocates

1. Report submitted by the State be kept with the record.
2. Learned advocate appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in connection with the instant case on the basis of statement of co-accused from whose vehicle 59.02 KGs Ganja was recovered and the petitioner is in custody for more than nine months. There is no possibility of the trial concluding in near future. As such, the petitioner may be released on bail.
3. On the other hand, learned advocate appearing for the State opposes the prayer for bail and submits that there are call

data records that there was continuous communication between the present petitioner and the other accused and to that extent, materials are also collected.

4. Having considered the relationship existing between the present petitioner and the other accused, at this stage I am not inclined to release the petitioner on bail.
5. As such, the prayer for bail is **rejected** at this stage.
6. Accordingly, **CRM(NDPS) 1150 of 2025 is dismissed.**
7. However, the petitioner would be at liberty to renew his prayer for bail after completion of the examination of seizure list witnesses.
8. Learned advocate for the petitioner also submits that the petitioner is suffering because of certain burn injuries earlier received and subsequently the same have been aggravated and there is no medical treatment while the petitioner in custody.
9. As such, the Superintendent of District Correctional Home, Nadia is directed to ensure medical treatment of the present petitioner to that effect medical opinion is being sought for. Steps be diligently taken so far as the complaint of the petitioner regarding the aggravating medical crisis which is faced by him.
10. The Registrar General is directed to communicate a copy of this order to the Superintendent of District Correctional Home, Nadia for compliance.

- 11.** Case diary be returned to the learned advocate appearing for the State.
- 12.** All parties shall act on the basis of server copy of this order duly downloaded from the official website of this Court.
- 13.** Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Tirthankar Ghosh, J.)