

10.12.2025

Court No.35.

M/L. 519.

Kausik

(Rejected)

CRM (NDPS) 1127 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 Baishnabnagar
Police Station Case No. 787/2025 dated 22.06.2025 under
Section 21(C)/27A/29 of the NDPS Act;

And

In the matter of : Chhaton Mandal @ Chhoton

.....Petitioner.

Mr. Arup Kumar Bhowmick

.....for the Petitioner.

Mr. Bibhaswan Bhattacharya

Ms. Atulya Sinha

.....for the State.

Learned advocate appearing for the petitioner submits
that petitioners were not supplied with grounds of arrest at the
time when the police authorities took them in custody.

Learned advocate for the State opposes the prayer for
bail and submits that 353 Gms of Brown Sugar were recovered
from the joint possession of the petitioner. So far as the issue
relating to grounds of arrest is concerned, in paragraph 58 of
Mihir Rajesh Shah Vs. State of Maharashtra & Anr.
(Criminal Appeal No. 2195 of 2025) it has been decided that
the applicability of grounds of arrest would be prospective.

Having considered the quantum of seizure, I am of the
view that Section 37 of the NDPS act is attracted.

Accordingly, CRM (NDPS) 1127 of 2025 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.)