

18.11.2025
Court No.35.
D/L. 21.
Rakib
(rejected)

CRM (NDPS) 1433 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Gangarampur Police Station Case No. 143 of 2025 dated 08.03.2025 under Sections 21(c)/22(c)/23(c)/27(a)/28/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : Nirup Sarkar

.....Petitioner.

Mr. Milon Mukherjee, Sr. Adv,
Mr. Dattatreya Dutta
.....for the Petitioner.
Mr. Sanjoy Banerjee
Ms. Debjani Sahu
.....for the State.

Learned senior advocate appearing for the petitioner submits that the petitioner is in custody for about eight months and 10 boxes of Phensedyl were recovered initially by the Border Security Forces and subsequently there was a re-seizure as the accused persons along with seized materials were handed over to the local police station being Gagarampur police Station.

Learned advocate appearing for the State opposes the prayer for bail and submits that commercial quantity of Phensedyl/codeine phosphate from the possession of the petitioner at the Indo-Bangladesh Border.

Petitioner is an Indian citizen, he is in custody for eight months.

Having regard to the fact that the prosecution proposes to rely upon 23 witnesses in order to prove its case and till date

the charge has not been framed. I direct the learned Special Court to release the petitioner on bail after the stage of consideration of charge is over before the learned Special Court.

So far as the quantum of bonds as also the conditions are concerned the same would be imposed by the learned Special Court.

With the aforesaid directions CRM (NDPS) 1433 of 2025 is disposed of.

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.)