

18.11.2025

Item No.24

Ct.No.35

dc.

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (NDPS) 1436 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 Basirhat Police Station Case No. 470 of 2025 dated 29.05.2025 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Sections 25(1)(a)/27 of the Arms Act.

And

In Re : **Jillur Rahaman Gazi @ Babu**

... Petitioner.

Mr. Md. Shahjahan Hossain,
Ms. Sanjida Sultana,
Mr. Prithwiraj Biswas,
Mr. Souvik Shaw

... For the Petitioner.

Mr. Sandip Chakraborty,
Mr. Debanik Das

... For the State.

Learned advocate appearing for the petitioner submits that the subject-matter of the case involves 90 bottles of recovery of phensedyl. However, the petitioner has been implicated in the present case on the basis of statement of co-accused and there has been no recovery from the present petitioner.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that charge-sheet has already been submitted before the jurisdictional court.

In view of the petitioner being implicated on the basis of statement of co-accused, I am of the opinion that the

petitioner has been able to *prima facie* overcome the rigors of Section 37 of the NDPS Act. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Jillur Rahaman Gazi @ Babu** shall be released on bail upon furnishing bond of Rs.20,000/-, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Special Court under the NDPS Act, Barasat.

If on bail, the petitioner shall meet with the Inspector-in-Charge, Basirhat Police Station till the same is modified by the learned Special Court.

The petitioner shall also be physically present on each and every date so fixed by the learned Special Court.

The application for bail, being CRM (NDPS) 1436 of 2025, is, thus, disposed of.

All concerned parties shall act on the server copy of this order duly 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.)