

03.12.2025

Item No.7

Ct.No.35

dc.

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (NDPS) 1547 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Patiram Police Station Case No. 117 of 2025 dated 10.05.2025 under Sections 21(c)/22(c)/23(c)/27(a) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Rakhibul Islam @ Rakhibur Islam**

... Petitioner.

Mr. Mrityunjoy Chatterjee,
Mr. Imdadul Hoque,
Md. Abu Safder

... For the Petitioner.

Mr. Bitasok Banerjee,
Mr. Raju Mondal

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner has unnecessarily been implicated in connection with the instant case and he is in custody since 21.05.2025. It has been submitted that the petitioner was shown arrested in connection with the instant case and the same was after recovery of the contraband. There has been no seizure pursuant to the arrest of the present petitioner and he has been implicated in this case on the basis of statement of co-accused.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that 500 ampules of buprenorphine injection were seized from the house of the father of the present petitioner and consequent

to the statement of the father, the present petitioner has been arrested. It has also been submitted that this petitioner used to obtain the contraband and the father used to supply the same to Bangladesh.

Having considered the stage of the case and the quantity of seizure of contraband, I am of the opinion that provision of Section 37 of the NDPS Act is attracted to the limited extent that the petitioner was earlier using the same residence.

At this stage, I am not inclined to release the petitioner on bail. As such, the prayer for bail of the petitioner is **rejected**.

Petitioner would renew his prayer for bail after the examination of the seizure witnesses are over.

The application for bail, being CRM (NDPS) 1547 of 2025, is, thus, dismissed.

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.)