

D/L-36
15/12/2025
Ct. No.35
(Aritra)
(Rejected)

C.R.M.(NDPS) 1596 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Baruipur Police Station Case No.1018/2025 dated 26/05/2025 under Sections 20(b)(ii)(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : **Minal Haque & Anr.**

... Petitioners

Mr. Prajnadeepta Roy
Mr. Sabir Ali
Mr. Debojyoti Goswami

....for the petitioners

Mr. Anand Keshari
Ms. Nahid Ahmed

....for the State

Learned advocate appearing for the petitioners submits that from the joint possession of the petitioners and another 35.6 kgs. of 'ganja' were recovered and the petitioners were not supplied with grounds of arrest. Neither they were represented by an advocate nor the petitioners were able to place their case properly as grounds of arrest were not supplied to them and it was the duty of the learned trial court to engage lawyers in case petitioners were unrepresented before the Court.

Learned advocate for the State handed over the case diary and drawn the attention of the Court to the signatures of petitioner Nos.1 and 2 in respect of the information furnished under Sections 47(1)/47(2)/48(2) of the BNSS.

Prima facie I am of the view that the signatures until and unless they are disputed by the petitioners the compliance is to be presumed at this stage.

Having considered the issue so canvassed by the petitioners and the same being first time canvassed before this Court for the first time without drawing the attention of the learned Special Court which is in seisin of the case, I am of the view that scanning of such issue should be first before the learned Special Court.

So far as the search and seizure is concerned in the present case no doubt has been raised, consequently I am of the view that rigours of Section 37 of the N.D.P.S. Act is attracted.

As such the prayer for bail of the petitioners in CRM (NDPS) 1596 of 2025 is dismissed.

All parties shall act in terms of server copy of this 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)