

15.12.2025
Court No.35.
D/L.46.
AKG
(Rejected)

CRM (NDPS) 1611 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 English Bazar Police Station Case no. 1857 of 2025 dated 23.08.2025 under Sections 21(C)/27A/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : Mahibur Sk & Anr.

.....Petitioners.

Mr. Arup Kumar Bhowmick
.....for the Petitioner.

Ms. Sreyashee Biswas,
Mr. Sufi Kamal
.....for the State.

Learned advocate appearing for the petitioners submits that 814 grams brown sugar were recovered from their possession and arrested from the spot. The petitioners intend to contest the present bail application.

Learned advocate appearing for the petitioners submits that the petitioners may be enlarged on bail due to non-supply of grounds of arrest.

Learned advocate for the State, on the other hand, submits that the issue has been set at rest by the Hon'ble Apex Court in Criminal Appeal No. 2195 of 2025 (Mihir Rajesh Shah Vs. State of Maharashtra & Anr.), wherein non-supply of grounds of arrest has been held to be prospective.

In view of the contentions advanced before this Court, the petitioners would first agitate before the learned trial court.

Learned advocate appearing for the State submits that the investigation is in progress.

Having considered the stage of the case, I am not inclined to release the petitioners on bail. As such, the prayer for bail of the petitioner being CRM (NDPS) 1611 of 2025 is **dismissed** at this stage.

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.)