

10.02.2025  
Court No.01  
rpan / 05

**CIRCUIT BENCH OF CALCUTTA HIGH COURT  
AT JALPAIGURI**

**CRM (NDPS) 11 of 2025**

**In Re: Bijay Shikdar & Anr.**

- Petitioners

Mr. Prajnadeepta Roy,  
Ms. Sohini Kundu,  
Mr. Debojyoti Goswami  
... for the Petitioners.  
Mr. Abhijit Sarkar,  
Mr. Tapan Bhattacharjee  
... for the State.

The present application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been preferred in connection with Dinhata Police Station Case No.650 of 2024 dated 22.12.2024 under Section 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 [NDPS Case No.129 of 2024].

Mr. Roy, learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated. They have already suffered incarceration since the month of December, 2024. There is no strong incriminating material on record against the petitioners and in the said conspectus, further detention of the petitioners may not be necessary.

Mr. Sarkar, learned advocate appearing for the State opposes the petitioners' prayer and submits that contraband substance above commercial quantity was recovered from the possession of the petitioners and investigation is still continuing.

Considering the gravity of the offence, the extent of complicity of the petitioners and as there has been recovery of commercial quantity of contraband substance from the possession of the petitioners, they fail to rebut the presumption under Section 37 of the NDPS Act. Investigation is still continuing and in view thereof, the petitioners' prayer for bail is rejected at this stage.

The application for bail, being CRM (NDPS) 11 of 2025 is, accordingly, dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

**(Prasenjit Biswas, J.)**

**(Tapabrata Chakraborty, J.)**