

**28.04.2025**

Sl. No. 6

**Court No.3**

BM

**IN THE HIGH COURT AT CALCUTTA  
CIRCUIT BENCH AT JALPAIGURI  
CRIMINAL MISCELLANEOUS JURISDICTION**

**CRM(NDPS) 113 of 2025**

In re: An application for bail under Section 439 of the Code of  
Criminal Procedure/under Section 483 of the Bhartiya  
Nagarik Suraksha Sanhita, 2023

**And**

**In the matter of : Md. Rahim**

Mr. Subham Ghosh

Mr. Sudip Guha

Mr. Ananda Paul

.. for the petitioners

Mr. Aditi Shankar Chakraborty

Mr. Biswaroop Roy

... for the State

1. The prayer for bail in the present case arises out of an order dated 01.01.2025 passed by the learned Chief Judicial Magistrate, Jalpaiguri, thereby rejecting the petitioner's prayer for bail, in connection with Malbazar Police Station Case No.736 of 2024 dated 29.12.2024 under Section **21(c)/25/27A/29 of the Narcotic Drugs and Psychotropic Substances Act** and read with **Section 15(1B)(a)/29/35 of Arms Act** and corresponding to NDPS case No.2 of 2025.

2. The seized articles (contraband Arms and gold ornaments) in this case have been seized allegedly from the **"abandoned house"** of the present petitioner/accused herein along with a ration card and electricity bill in the name of the present accused

person to substantiate that the house in the “abandoned condition” belongs to the petitioner Md. Rahim.

3. It is further case of the petitioner that the mandatory provision of Section 42 of the Cr.P.C has not been complied with.

**4. Considering the early stage of the investigation and the nature of offence alleged and the seizure made in the present case, prayer for bail is rejected at this stage.**

5. Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

**( Shampa Dutt (Paul), J. )**