

30.04.2025

Sl. No. 4

Court No.3

BM

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

CRM (NDPS) 121 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 : Shyamal Barman

... Petitioner

Mr. Sourav Ganguly
Mr. Bibek Tarafder
Mr. Gopal Roy
Mr. Rishita Chakraborty

... for the petitioner

Mr. Aditi Shankar Chakraborty
Mr. Kallol Nag

... for the State

1. The prayer for bail in this case arises out of PTN (NDPS) Case No.119 of 2025, arising out of New Jalpaiguri GRPS Case No.17 of 2025 dated 03.03.2025, under Sections 8(c)/20(b)(ii)(c)/29 of the NDPS Act, pending before the learned Additional Sessions Judge, 1st Court at Jalpaiguri cum Learned Special Judge, under NDPS Act at Jalpaiguri.

2. The State has placed the case diary from wherein it appears that this is the accused's first prayer for bail being arrested on 03.03.2025.

3. Learned counsel for the petitioner has relied upon the judgements of the Supreme Court reported in (1) **(2021) 1 SCC 184, Paramvir Singh Saini vs. Baljit Singh & Ors.** and (2) **Criminal Appeal No.1518 of 2025 decided on 25th March, 2025, Ashish Kakkar vs. UT of Chandigarh.**

4. It is the contention of the petitioner that he was a valid passenger of Padatik Express whose departure was on 2nd March, 2025 from New Jalpaiguri and arrival was at 6:46 AM on 3rd March, 2025 at Sealdah but the seizure list shows his arrest on 03.03.2025 at 19:15 hours at New Jalpaiguri Station.
5. Learned APP, Mr. Chakraborty has placed a report submitted by the Investigating Officer in this case, wherein it shows that the accused persons did not avail of the train (Padatik Express) leaving New Jalpaiguri for Sealdah on 02.03.2025. The accused persons were apprehended on 03.03.2025, when they deboarded at Platform No.5 of New Jalpaiguri Railway station from Train No.13148, Uttarbanga Express in rear side general coach and the seizure was done after the recovery from the possession of the accused persons.
6. The seizure list in this case shows that three railway tickets have been recovered from the possession of the accused persons and the date of journey is shown as 03.03.2025 from New Cooch Behar to Sealdah Railway Station.
7. Considering the nature of offence alleged and the early stage of investigation, the prayer for bail at this stage stands rejected.
8. CRM (NDPS) No.121 of 2025 stands disposed of.

(Shampa Dutt (Paul), J.)