

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

29.04.2025
(ct. no.03)
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BR

CRM (NDPS) 132 of 2025

In Re : An application for bail under Section 483 of the
Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of : Saleem Kareem Shaikh

.... Petitioner.

Mr. Prajnadeepta Roy,
Mr. Naser Ali,
Mr. Jaimallya Bhattacharya,
Ms. Taniya Bhowmik
... For the Petitioner

Mr. Ujjwal Luksom,
Mr. Kallol Nag

... for the State.

1. The prayer for bail in this case arises out of an order dated 26.03.2025 passed by the learned Judge, Special Court (under NDPS Act), 1st Court, Jalpaiguri in NDPS Case No. 73 of 2024, arising out of Kotwali P.S. Case No. 809 of 2024 dated 23.11.2024 under Sections 21(c)/25 of the Narcotic Drugs and Psychotropic Substances Act, rejecting the prayer for bail of the petitioner herein.
2. The case of the petitioner is that he was arrested on 23.11.2024 and 56 nylon sacks, each containing two cartoons, each cartoon containing 100 bottles and total being 11200 bottles of codeine phosphate cough syrup was recovered from his possession.

3. Learned counsel for the petitioner has relied upon several judgments and has based his case on non-compliance of Section 42 of the NDPS Act and submits that the accused is in custody for more than 130 days.
4. It appears from the case diary placed that the seizure in the present case has been made in the presence of a gazetted officer being an Inspector of Police and the memo of arrest also shows that the column 1(e) has been duly filed in and the fact of the arrest has been duly informed through mobile phone vide a mobile number provided by the arresting officer.
5. It also appears that the petitioner was arrested at 16.55 hours (4.55 p.m.).
6. Considering the said facts on record, the materials in the case diary, the early stage of investigation and the nature of offences alleged, wherein huge quantity of contraband articles has been recovered from the possession of the accused/ petitioner herein, **the prayer for bail of the petitioner is stands rejected**
7. **CRM (NDPS) 132 of 2025 stands disposed of.**
8. All connected application stand disposed of.
9. Copy of this order be sent to the learned Trial Court.
10. Urgent certified website copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Shampa Dutt (Paul), J.)