

11.06.2025
Serial no. 2
[G.S.D]

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

CRM (NDPS) 154 of 2025

In re : An Application for **Bail** under Section **483** of the BNSS, 2023 in connection with **CR (NDPS) 193/24 corresponding to CR (NDPS) Case No. 27 of 2025 under Sections 18(b), 25 and 29 of the NDPS Act, 1985** arising out of **Falakata P.S. Case No. 424 of 2024 dated 05.11.2024 under Sections 18(b), 25, 29** of the NDPS Act, 1985.

-And-

In the matter of : Himangshu Sarkar

... Petitioner(s)

Ms. Rima Sarkar
Ms. Sidhi Sethia
Ms. Suparna Paul

... for the petitioner(s)

Mr. Kallol Acharjee
Ms. Sukanya Adhikary

... for the State

Learned advocate for the petitioner submits that the petitioner is in custody for about 217 days and there is hardly any possibility of the trial to commence in view of the fact that one of the accused person is absconding, as such, she prays that the petitioner may be released on bail on any stringent condition.

Learned advocate for the State opposes the prayer for bail and submits that commercial quantity of contraband

were recovered from the possession of the petitioner, as such, rigors of Section 37 of the NDPS Act is attracted, so the petitioner may not be enlarged on bail.

I have considered the submissions of the learned advocate for the petitioner as well as that of the State.

Having considered the submissions so advanced by both the parties, I am not inclined to enlarge the petitioner on bail at this stage.

Accordingly the prayer for bail of the petitioner is **Rejected.**

However, the learned Trial Court/Special Court is directed to issue harsher process of law so far as the absconding accused persons is concerned, exhaust process of law, thereafter, split up the trial so that the same may be progressed in due course of time.

Accordingly, CRM(NDPS) 154 of 2025 is dismissed.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

