

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

01.05.2025  
(ct. no.03)  
13  
BR

**CRM (NDPS) 177 of 2025**

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

And

**In the matter of : Mamina Begum and another**  
.... Petitioner.

Mr. Saikat Chatterjee,  
Ms. Hasanur Rahaman,  
Mr. Dipankar Roy  
... For the Petitioner

Mr. Kallol Acharjee,  
Mr. Sagnik Sarkar

... for the State.

1. The prayer for bail in this case arises out of an order dated 7.2.2025 passed by the learned Additional Sessions Judge, Special Court under NDPS Act, Siliguri in connection with C.R.(NDPS) Case No. 21/2025, rejecting the prayer for bail of the petitioner arising out of Siliguri Police Station Case No. 70 of 2025 dated 2.2.2025 under Section 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.
2. The petitioners case is that they are women accuseds with 'lap' babies. It appears that the petitioners have been arrested on 2.2.2025 and commercial quantity **(627 gms)** of Brown Sugar was recovered from their joint possession.
3. It appears from the memo of arrest that family members of the accused/petitioners have been duly

informed of their arrest on 2.2.2025 at 16.10 hrs.(4.10 p.m.) and seizure was made on the same date just prior to the arrest and as such the said recovery and seizure being the grounds of arrest in this case was within the knowledge of the accused persons and also their family members.

4. As such there has been prima facie compliance of Section 52(1) of the NDPS Act and thus no violation of Article 22(1) of the Constitution of India.
5. Considering the early stage of investigation and the recovery made and the offence alleged, prayer for bail of both the accused persons stands rejected at this stage.
6. **CRM (NDPS) 177 of 2025 stands disposed of.**
7. Copy of this order be sent to the learned Trial Court at once.
8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

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