

09.06.2025
Item no. 26.
Court No.2.
Kausik

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRM (NDPS) 187 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bagdogra Police Station Case No. 63/25 Dated 02.03.2025 under Sections 21(c)/23(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : Abhi Sherpa @ Amush Sherpa

.....Petitioner.

Mr. Prajnadeepta Roy
Mr. Debojyoti Goswami
Mr. Jaimallya Bhattacharya

.....for the Petitioner.

Mr. Saikat Chatterjee
Ms. Sukanya Adhikary

.....for the State.

Learned advocate appearing for the petitioner submits that there has been infraction of the provisions of law in respect of the mode and manner of arrest in the instant case. Additionally, it has been submitted that the petitioner is in custody since 02.03.2025 and after the petitioner was sent to jail custody, till date no interrogation has been conducted in jail, as such the petitioner prays for bail on any condition.

Learned advocate for the State submits that the investigation of the case is still in progress and the investigating agency has strictly adhered to the provisions of law while conducting the investigation effecting the arrest.

Be that as it may, as the investigation of the case is still in progress and allegedly commercial quantity of brown sugar has been seized in connection with the instant case, at this stage I am not inclined to release the petitioner on bail.

Accordingly, CRM (NDPS) 187 of 2025 is dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)