

11.06.2025
Serial no. 7
[G.S.D]

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

CRM (NDPS) 207 of 2025

In re : An Application for **Bail** under Section **483** of the BNSS, 2023 in connection with **Kharibari P.S. Case No. 36 of 2025 dated 11.02.2025 under Section 21(c)/22(b) of the NDPS Act, 1985 corresponding to C.R. (NDPS) Case No. 25 of 2025** of the NDPS Act, 1985.

-And-

In the matter of : Afsar Alam

... Petitioner(s)

Mr. Subham Ghosh
Mr. Mayank Roy

... for the petitioner(s)

Mr. Aniruddha Biswas

... for the State

Learned advocate for the petitioner submits that even if the case of the investigating authorities is accepted to be true, the seizures which have been effected are 10 bottles of Eskuf Syrup and 317 tablets of Nitrazepam (10 mg).

So far as the first contraband is concerned - the same is of intermediate quantity and so far as the second contraband is concerned - the same would go under the category of small quantity.

Learned advocate also submits that the petitioner has been detained from 11th February, 2025. More than 90 days have passed since the petitioner was taken into custody and the investigating agency till date has not submitted the charge-sheet, as such, the petitioner is entitled to be released on.

Learned advocate for the State submits that the investigation of the case is still in progress, the petitioner was arrested from a sensitive area at the behest of the BSF authorities and efforts are being taken by the investigating agency to conclude the investigation within a definitive period.

Having considered the submissions of the learned advocate appearing for the respective parties, the quantum of seizure as also the period of detention, I am inclined to release the petitioner on bail.

Accordingly the prayer for bail of the petitioner is **Allowed** with conditions that the petitioner would furnish bond to the satisfaction of the learned Special Court with two sureties of like amount each one of which must be a local surety within the jurisdiction of Special Court. It is categorically stated that the local surety must be a person who would furnish title deed of a property which would be kept in custody of the court till the trial of the case is over. It is also directed that the petitioner shall not leave the

jurisdiction of Kharibari Police Station and shall make himself physically available on each and every date of the trial so fixed by the learned trial court as also cooperate with the learned trial court in progress of the trial of the case. The petitioner shall also cooperate with the investigation of the case and shall make himself available before the investigating officer/authority as and when called for.

In case there is any violation of the aforementioned conditions, the learned Special Court would cancel the bail without further reference to this Court.

Accordingly, CRM(NDPS) 207 of 2025 is disposed of.

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.)

