

10.06.2025
Item no. 46.
Court No.2.
Rakib
(Allowed)

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

CRM (NDPS) 226 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 Kotwali Police Station Case No. 281 of 2025 Dated 18.03.2025 under Sections 21(b)/22(b)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : Sayul Biswas.

.....Petitioner.

Mr. Joydeep Biswas,
Mr. Koushik Ghosh,
Mr. Uday Sankar Sarkar,
Ms. Afsana Khatun.

.....for the Petitioner.

Mr. Ujjwal Luksom,
Mr. Aniruddha Biswas.

.....for the State.

Learned advocate appearing for the petitioner submits that 220 grams of brown sugar is the subject matter of the case wherein seizures were affected from joint possession of the petitioner and others. It has also been submitted that the investigation of the case has been concluded and the charge-sheet along with FSL report has been submitted before the jurisdictional Special Court, as such further detention of the petitioner is unwarranted, as they are in custody for 89 days.

Learned advocate appearing for the State opposes the prayer for bail on the grounds that there is every possibility of the petitioner fleeing away or evading the process of law.

However, having regard to the fact that the recovery so made is of intermediate quantity and the rigors of Section 37 of NDPS Act are not attracted, I am inclined to release the petitioner on bail.

Petitioner will furnish bond of Rs. 20,000/- (Rupees Twenty Thousand only), with two sureties of like amount each, one of whom must be local to the satisfaction of the learned Special Court NDPS Act, Cooch Behar. It is clarified that the local surety must be an individual who would submit the title deed of property before the learned Special Court or to the Court so directed by the learned Special Court which would be retained till the end of the trial. The petitioner would on each and every day be physically present in Court on the date so fixed for the purposes of the present case. In case there is any violation of the condition, the learned Special Court would be at liberty to cancel the bail without further reference to this Court.

Accordingly, CRM (NDPS) 226 of 2025 is allowed.

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

(Tirthankar Ghosh, J.)