

64
07.07.2025
Ct.No.2
b.das
Rejected

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction

C.R.M. (NDPS) 265 of 2025

In Re : An application for bail under Section 483 of the BNSS, 2023 filed in connection with NDPS Case No. 32 of 2024 dated 30.05.2024 under Sections 8(c)/21(c)/25/29 of the NDPS Act.

And

In Re : **Jakir Hossain** ... Petitioner.

Mr. Asit Chanda ... for the Petitioner.

Mr. Sudipto Kr. Mazumder

Mr. Sudip Kr. Paul ... for the NCB.

Heard learned counsels for the parties.

The petitioner is in custody for about 175 days and prays for bail.

Learned counsel for the petitioner submits that the contraband articles were seized from the house of the petitioner which was rented to co accused Rahul Singh.

Learned counsel for the NCB opposes the prayer.

I have perused the material on record. It appears that 16549 bottles of codeine phosphate cyrup were recovered from the residential premises of the petitioner. Co accused Rahul Singh has admitted that he kept 5 thousand bottles in the residential premises of the petitioner.

In view of the fact that the contraband articles were recovered from the residential house of the petitioner, this

Court is inclined to hold that statutory restriction under Section 37 of the NDPS Act comes into play.

Accordingly, prayer for bail is rejected at this stage.

The application for bail is thus disposed of.

Case Diary be returned.

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

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

(Suvra Ghosh, J.)