

August 11, 2025
Sl. No. 16
AKG

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**
CRM (NDPS) 287 of 2025

In Re : An application under Section 439 of the Code of Criminal Procedure, 1973 as amended under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.
And

Re : **Md. Samim** ... Petitioner

Mr. Kumar Shantanu,
Mr. Taiab Sahadat ...for the Petitioner

Mr. Sudipto Kr. Mazumdar,
Mr. Sudip Kr. Paul ...for NCB

This application for bail appears to be the fifth attempt by the petitioner to obtain bail in connection with CR NDPS Case No. 22 of 2024 arising out of NCB Crime No. 05/NCB/KZU/2024 dated 25.03.2024, under Section 8(c) read with Section 22(c) of the NDPS Act, 1985.

Mr. Kumar Shantanu, learned advocate appearing for the petitioner, submits that although the contraband articles were seized from the petitioner on March 25, 2024, he was arrested on March 26, 2024, following the issuance of a notice under Section 67 of the NDPS Act, 1985.

He further submits that although the charge sheet was filed on September 20, 2024, the trial has not yet commenced.

Mr. Sudipto Kr. Mazumdar, learned Deputy Solicitor General of India appearing on behalf of the NCB, opposes the prayer for bail. He submits that the petitioner was detained immediately after the seizure and arrested on the following day.

It appears from the records that 67.49 grams of Mephedrone were seized from the possession of the petitioner at Bagdogra Airport.

In view of the statutory bar under Section 37 of the NDPS Act, 1985, I am not inclined to grant bail to the petitioner at this stage. However, it is expected that the trial shall commence shortly and be concluded as expeditiously as possible.

Accordingly, CRM (NDPS) 287 of 2025 is disposed of.

(Kausik Chanda, J.)