

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

**13.08.2025.
09.
Suman
Ct. 01
Rejected**

CRM (NDPS) 297 of 2025

In re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Dhupguri Police Station Case No.191 of 2025 dated 24.05.2025 under Sections 21(C)/25/29 of the Narcotics Drugs and Psychotropic Substances Act, 1985 presenting pending before the learned Judge, Special Court, NDPS Act at Jalpaiguri.

And

In the matter of : **Krishna Prasad**

... petitioner

Mr. Dhiraj Lakhotia
Mr. Abhilash Mittal
..for the petitioner

Mr. Abhijit Sarkar
Dr. Arjun Chowdhury
..for the State

The petitioner has been in custody for approximately 78 days.

Mr. Lakhotia, learned advocate appearing for the petitioner, firstly submits that the petitioner has been implicated solely on the basis of a statement recorded under Section 67 of the NDPS Act by a co-accused. It is argued that no grounds of arrest were communicated to the petitioner by the arresting officer.

The learned advocate appearing for the State, on the other hand, submits that the petitioner was named by one of the co-accused, namely Bhullu Ray, which led to the petitioner's arrest. It is further submitted that the petitioner subsequently disclosed the name of Mir Kasem. A recovery of approximately 10,631 bottles of Phensedyl cough syrup, containing codeine mixture, was made.

With regard to the alleged non-supply of the grounds of arrest, the State has produced documents to demonstrate that the grounds were duly communicated to the petitioner.

In view of the aforesaid, I am not inclined to grant bail to the petitioner at this stage.

Accordingly, **CRM (NDPS) 297 of 2025** is **rejected**.

Let an urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on the usual undertakings.

(Kausik Chanda, J.)