

29.07.2025
Item No.14
Ct. No. 03
KS

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M.(NDPS) 308 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of: **Mousam Sarkar**

.....Petitioner

Mr. Supratim Nag

Ms. Trishna Roy

....For the Petitioner

Mr. Nilay Chakraborty, Ld. A.P.P.

Mr. Tapan Bhattacharjee

.....For the State

1. Heard learned counsel appearing for both the parties.
2. Learned counsel appearing on behalf of the petitioner has submitted that the other two accused, in this case, have already been granted bail and the petitioner is entitled to be enlarged on bail in view of Rule of Parity.
3. It is revealed from the record that charge-sheet was submitted on 14th April, 2025 and it is also found from the record that on 10.06.2025, the prayer for bail was considered and rejected by this Court in connection with CRM (NDPS) 195 of 2025.
4. Learned counsel appearing on behalf of the State has vehemently opposed the prayer for bail.
5. No new circumstance has been revealed in favour of the petitioner after 10.06.2025 while his prayer for bail was rejected that too after submission of charge-sheet.
6. In view of the aforesaid facts and circumstances, in my opinion, I find hardly any scope to overcome the statutory legislative hurdle

imposed under Section 37 of the Narcotic Drugs & Psychotropic Substances Act.

7. With this aforesaid observation, the application for bail is, accordingly, rejected.
8. As a sequel, the application being, **C.R.M.(NDPS) 308 of 2025** stands disposed of.
9. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.
10. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.

(Bibhas Ranjan De. J.)