

August 12, 2025
Sl. No. 32
AKG

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

CRM (NDPS) 313 of 2025

In Re : An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 439 of the Code of Criminal Procedure, 1973) filed in connection with Bhaktinagar Police Station Case No. 355 of 2024 dated 27.04.2024 under Section 21(c)/22(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

Re : **Nurul Islam**

... Petitioner

Mr. Hillol Saha Podder

...for the Petitioner

Mr. Kallol Acharjee,
Mr. Biswarup Roy

...for the State

The petitioner has been in custody for approximately 14 months.

Learned advocate appearing for the petitioner prays for bail on the ground of parity. He relies on the order dated July 9, 2025, appearing at page 13 of the present bail application.

It appears that one of the co-accused, Sajiul Sheikh, was granted bail. The Court, in that case, observed that although the seizure list indicated joint possession of the contraband by Sajiul Sheikh, the F.I.R. did not disclose any such specific allegation against him.

However, in the present case, it is not in dispute that the name of the petitioner appears in both the F.I.R. and the

seizure list. From these documents, it is evident that the petitioner was found in possession of 293.560 grams of Brown Sugar. Therefore, it cannot be said that the petitioner stands on the same footing as Sajiul Sheikh.

Having regard to the gravity of the offence and the bar under Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985, I am not inclined to grant bail to the petitioner at this stage.

Accordingly, CRM (NDPS) 313 of 2025 is rejected.

(Kausik Chanda, J.)