

03.11.2025

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Bd.

Rejected

Ct.3

**Calcutta High Court
In the Circuit Bench at Jalpairuri**

C.R.M. (NDPS) 349 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with NDPS Case no. 503 of 2025 arising out of Mathabhanga Police Station Case No. 325 of 2025 dated 04.05.2025 under Sections 20(b)(ii)(c)/25/29 of the NDPS Act, 1985.

And

In the matter of : **Dinanjan Barman @ Dhiranjan Barman**
.... Petitioner.

Mr. Surojit Basu

Mr. Puspen Barman

Mr. Sayantan Bhowal ...for the Petitioner

Mr. Aditi Shankar Chakraborty

Dr. Arjun Choudhury ...for the State

Learned counsel appearing on behalf of the petitioner submits that the petitioner was merely a toto driver and was not aware about what the passengers were carrying in their bag. He cannot be said to have conscious possession of the contraband substance. However, investigation has been culminated in a charge-sheet and further detention will not yield any fruitful result and as such he may be released on bail on any terms and conditions.

Learned counsel appearing on behalf of the State opposed the bail prayer contending that as per seizure list the recovery was made from the accused persons including the present petitioner. He further submits that the charge-sheet has been submitted on 29th October, 2025. He further

submits that commercial quantity of 35.99 Kgs. of ganja was recovered from the possession of the petitioner.

Having heard learned counsel appearing on behalf of both the parties and on perusal of the materials available in the case diary, including the seizure list, I find that the petitioner has failed to overcome the restrictions imposed in Section 37 of the NDPS Act, and as such the prayer for bail made by the petitioner stands rejected.

Accordingly, CRM (NDPS) 349 of 2025 is disposed of.

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

(Dr. Ajoy Kumar Mukherjee, J.)