

08.09.2025

SL No.81

Ct. No.03

Sudipta

Allowed

**Calcutta High Court
In The Circuit Bench at Jalpaiguri**

CRM (NDPS) 356 of 2025

In Re: An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with New Jalpaiguri Police Station Case No. 538 of 2022 dated 23.05.2022 under Sections 21(c) / 22(c) / 25 / 28 / 29 of NDPS Act corresponding to NDPS Case No. 66 of 2022.

And

In Re : **Bhugal Mullah @ Bhugol Molla @ Molla @ Ali Ahammad Molla**

.....Petitioner

For the petitioner :

Mr. Jaydeep Kanta Bhowmik

Mr. Sayantan Bhowmik

Mr. Subham Kumar

Ms. Sayantani Das

.....Advocates

For the State :

Mr. Aditi Shankar Chakraborty, Ld. APP

Mr. Aniruddha Biswas

.....Advocates

1. Learned counsel for the petitioner submits that the co-accused from whom the recovery was effected have already been admitted to bail by this Court vide order dated 18th August, 2023 and 25th August, 2023 in CRM (NDPS) 427 of 2023 and CRM (NDPS) 611 of

2023 respectively. Learned counsel submits that the petitioner is in custody for the last 84 days.

2. Learned counsel for the State has opposed the bail application on the ground that besides the telephonic conversations between the petitioner and the accused persons, there is also a financial transaction. Learned counsel for the State has further submitted that certain money was received by the petitioner from one Kabir. However, the said Kabir is not accused in this case. Learned counsel for the State has fairly submitted that there are no criminal antecedents against the petitioner.
3. Taking into account the fact that there is only CDR against the petitioner. The petitioner is admitted to bail as regour of Section 37 of the NDPS Act may not attract.
4. Therefore, the prayer for bail is considered and allowed.
5. This Court accordingly, direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court (under NDPS Act), 1st Court at Jalpaiguri and also on the condition that the petitioner shall not leave the

jurisdiction where the petitioner resides without leave of the concerned authorities. The petitioner shall not induce witnesses or influence them or tamper with the evidence and the petitioner shall make himself available for trial as and when the petitioner is required.

6. Accordingly, CRM (NDPS) 356 of 2025 stands disposed of.
7. Urgent Photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties upon compliance of all legal formalities.

(Dinesh Kumar Sharma, J.)