

04.09.2025
Ct. No.3
Sl. No.62
kaushik
(Allowed)

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

C.R.M. (NDPS) 378 of 2025

In Re: An application for bail under Section 483 of the BNSS, 2023 in connection with **Bhaktinagar** P.S. Case No. **209 of 2025** dated **06.03.2025** under Sections **21(C)/22(C)/25/29** of the NDPS Act, 1985.

-And-

In the matter of: **Poppu Ghosh @ Pappu Ghosh**

...Petitioner

Mr. Dr. Arjun Chowdhury
Mr. P. Dutta Chowdhury
Ms. Sunayna Parveen
Ms. Riya Agarwal
Mr. Montu Mondal
Mr. Bappaditya Roy

...for the Petitioner

Mr. Niloy Chakraborty
Mr. Sourav Ganguly

...for the State

Learned counsel for the petitioner submits that identically placed persons were admitted to bail by this Court in CRM (NDPS) 343 of 2025 dated 2nd September, 2025.

Learned counsel for the State has fairly submitted that the present petitioner is similarly placed with the co-accused persons who were admitted to bail in the order dated 2nd September, 2025. It was held as follows:

“1. Learned counsel for the petitioners submits that recovery was effected from the godown of M/s. Asha Surgical. Learned counsel further submits that petitioners were merely an employee of M/s. Asha Surgical. Learned counsel submits that at

the relevant time the petitioners were merely making the inventory and they could not produce the drug licence.

2. Learned counsel for the State has fairly submitted that recovery was effected from the godown of M/s. Asha Surgical and M/s. Asha Surgical had the valid drug licence at the relevant time. Learned counsel has also submitted that the petitioners are the employees of M/s. Asha Surgical.

3. Since, M/s. Asha Surgical had valid drug licence regarding the alleged recovery of capsules and cough syrup and the petitioners was merely an employee.

4. The rigour of Section 37 of the NDPS Act may not attract upon the present petitioners.

5. Therefore, the prayer of bail is considered and allowed.”

Accordingly, the petitioner shall be released on bail upon furnishing a personal bond of Rs.20,000/-, with two sureties of the like amount each, one of whom must be local, to the satisfaction of the learned Special Court (Under NDPS Act) 1st Court, Jalpaiguri and also on condition that the petitioner shall not leave the jurisdiction where the petitioner reside and the petitioner shall not threaten, intimidate or tamper with witness in any manner whatsoever.

Accordingly, **C.R.M. (NDPS) 378 of 2025** stands disposed of.

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.)