

31.10.2025  
38  
Bd.  
Rejected  
Ct.3

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

**C.R.M. (NDPS) 425 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. 38 of 2025 arising out of Mekhliganj Police Station Case No. 45 of 2025 dated 15.02.2025 under Sections 21(c) of the NDPS Act, 1985.

And

In the matter of : **Vikram Kundalia**

**.... Petitioner**

Mr. Biswajit Deb  
Ms. Anwesha Chakraborty

...for the Petitioner

Mr. Abhijit Sarkar  
Mr. Bhaskar Das

...for the State

Learned counsel appearing on behalf of the petitioner submits that petitioner is in custody for about 255 days i.e., from 15<sup>th</sup> February, 2025. He further submits that 2280 pieces of Yaba tablets was recovered from a house but the investigation does not reveal who is the owner of said house wherefrom the recovery was made. Therefore the ownership of the house is unknown and he further submits that another co-accused of this case namely Ajidul Haque @ Ajijul Haque @ Lambu has already been granted bail by this court and he is almost on the same footing. He further submits that there is discrepancy in GD entry reflected in the formal FIR. Furthermore alleged independent witnesses are Panchayat Pradhan and one member of Panchayat who cannot be called as independent witness.

In such view of the matter considering the period of detention he may be released on bail on any terms and conditions.

Learned counsel for the State opposed the bail prayer contending that the petitioner has criminal antecedence and he is involved in similar offence in Mekhliganj Police Station Case No. 45 of 2025 dated 15.02.2025. Furthermore considering the gravity of the offence his bail prayer was rejected by this Court only two months back i.e., on 18.08.2025 and he further submits that the present petitioner is not on the same footing with that of the co-accused Ajidul Haque @ Ajijul Haque @ Lambu, who was arrested on the basis of co-accused statement.

Having heard learned counsel appearing on behalf of both the parties and that the petitioner has criminal antecedent and that petitioner's bail prayer was rejected on 18.08.2025 and no new circumstances has arisen to reconsider his prayer favorably, I find that the restrictions imposed in Section 37 of the NDPS Act is attracted in respect of the present petitioner, and as such the prayer for bail made by the petitioner stands rejected.

Accordingly, CRM (NDPS) 425 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.)**