

21.11.2025

Item No.DL52
Court No. 4

Asraf, A.R.(Ct.)

Calcutta High Court

In the Circuit Bench at Jalpaiguri

Criminal Miscellaneous Jurisdiction
Appellate Side

Case No. **CRM (NDPS) 480 of 2025**

In re : **An Application for Bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Ghoksadanga PS case no.453 of 2025 dated 03.09.2025 under Sections 20(b)(ii)(c) and 29 of the Narcotics Drugs and Psychotropic Substances, 1985.**

-and-

In the matter of :

TAPASHI ROY @ TAPOSHI ROY

... ... Petitioner

For the Petitioner :

Mr. Dilip Chakraborty

... Advocate

For the State :

**Mr. Abhijit Sarkar
Mr. Subhasish Misra
Mr. Kallol Nag**

... Advocates

1. The bail prayer of the petitioner is taken up for consideration.
2. It is submitted by the learned advocate appearing on behalf of the petitioner that the narcotics were seized from a house belonging to somebody else, although the petitioner was present there at that time. It is also submitted that the petitioner has children who are on the verge of starvation in the absence of the petitioner. In such consideration, the petitioner should be enlarged on bail.

3. Learned advocate for the State relies upon the materials in the case diary and submits that commercial quantity of narcotics was recovered from the joint possession of the petitioner.
4. Having heard the submissions made on behalf of the parties and on perusal of the materials available in the case diary, it transpired that huge quantity of narcotic drugs in the form of Ganja was recovered from the joint possession of the petitioner. The petitioner was very much present from where the recovery was made. The petitioner also acknowledged the seizure list by putting her signature thereon. It is not in doubt that the quantity of the articles recovered was of commercial quantity.
5. In such view of the fact, I am of the opinion that the petitioner has not been able to overcome the restrictions contained in Section 37 of the Narcotics Drugs and Psychotropic Substances, 1985.
6. Accordingly, I am not inclined to enlarge the petitioner on bail.
7. Hence, the prayer for bail is **rejected**.
8. Accordingly, CRM(NPDS) 480 of 2025 stands disposed of.
9. Urgent certified copy of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Md. Shabbar Rashidi, J.)