

20.01.2026

Court No.35.

D/L. 43.

Kausik

(Rejected)

CRM (NDPS) 92 of 2026

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure, 1973 in connection with Kaliachak Police
Station Case No. 220 of 2024 dated 24.02.2024 under Sections
21(c)/25/27A/29 of the NDPS Act, 1985.

And

**In the matter of : Tenu Mandal @ Mandal Tenu @ Ramtenu
Mondal**

.....Petitioner.

Mr. Md. Wasim Akram

Ms. Sabrina Parveen

.....for the Petitioner.

Mr. Antarikhya Basu

Mr. Sachit Talukdar

.....for the State.

Learned advocate appearing for the petitioner submits
that the subject matter of recovery in the present case is 882
Gms. of Brown Sugar and the petitioner has been implicated in
connection with the instant case because of recovery of the
motorcycle which has been seized by the police authorities.
Petitioner draws the attention to the order dated 10.12.2025
passed in CRM (NDPS) 1176 of 2025 and submits that the
impression given by the State on the earlier occasion that
charges have not been framed was incorrect. According to the
petitioner charges were framed in the month of September,
2025.

Learned advocate for the State opposes the prayer for bail and submits that in spite of the same, petitioner has been implicated because of the motorcycle having been used in the alleged commission of the offence.

Having considered the quantum of Brown Sugar seized in connection with the instant case and the fact that the petitioner's son namely Avijit Mandal was granted anticipatory bail because he was innocent but the fact remains that the motorcycle was seized in connection with the instant case and the petitioner being the registered owner, I am of the view that until the factual circumstances are rebutted by the present petitioner in course of the trial, prima facie, a case has been made out by the prosecution, as such the rigors of Section 37 of the NDPS Act is attracted.

Accordingly, CRM (NDPS) 92 of 2026 is dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)