

28.01.2026
Court No.35.
D/L.21.
Rakib
(Rejected)

CRM (NDPS) 146 of 2026

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Hogalberia Police Station case no. 296 of 2024 dated 04.12.2024 under Sections 21(c)/25/29 of the of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : Biplab Biswas @ Raju.

.....Petitioner.

Mr. Arnab Chatterjee
Mr. Amanul Islam
Mr. Sourav Mukherjee
Ms. Ankusha Ghosh
Mr. Raja Das

.....for the Petitioner.

Mr. Sanjay Bardhan
Mr. Santanu Deb Roy

.....for the State.

Learned advocate appearing for the petitioner submits that petitioner is in custody for one year one month and earlier it was submitted on behalf of the State that petitioner was riding and escorting with a motor cycle, particularly the vehicle from where recovery of 1400 bottles of phensedyl were recovered.

Learned advocate for the State opposes such contention and submits that the motor cycle was escorting but the petitioner along with other person was inside the vehicle from where recovery has been made. Learned advocate for the State further draws the attention to the fact that the seizure was videographed and there are materials corroborating the factum of seizure.

I have taken into account the quantum of seizure and the fact that charges have only been framed very recently. Having

considered the stage of case, I am not inclined to release the petitioner on bail at this stage as prima facie provision of Section 37 of the NDPS Act is attracted.

Learned trial Court is directed to prioritize the date for examination of the four seizure list witnesses in course of the trial preferably within a period of 90 days.

However, the petitioner would be at liberty to renew his prayer for bail after the evidence of the seizure list witnesses are over.

At this stage, the prayer for bail of the petitioner in CRM (NDPS) 146 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.)