

12.02.2026

Item No.184

Ct.No.35

dc.

Rejected

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (NDPS) 261 of 2026

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Contai Police Station Case No. 718 of 2024 dated 17.11.2024 under Sections 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Gobinda Sharma**

... Petitioner.

Mr. Ashok Das,
Mr. Sk. Toslim,
Ms. Hasi Jana

... For the Petitioner.

Ms. Baisali Basu,
Mr. Arup Sarkar

... For the State.

Learned advocate appearing for the petitioner submits that the subject-matter of the case relates to recovery of 132 kgs. of ganja from a bus and 11 accused persons have been implicated in connection with the instant case. Reference has been made to the order of the Hon'ble Supreme Court passed in Special Leave to Appeal (Crl.) No(s). 18518/2025. Attention of the Court is drawn to paragraph 2 which reads as follows :

“2. After hearing learned counsel for the parties, considering the facts and circumstances of the case including the medical issues and the period of custody which is about 15 months and considering the fact that charges were framed in July, 2025 and only two witnesses have yet been examined, however, the trial may take some time to conclude. However, without expressing any opinion on the merits, we deem it appropriate to release the petitioner on bail.”

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail.

I have taken into account the directions of the Hon'ble Supreme Court which was passed in the background of the medical issues of the accused viz. Mina Sk. Having considered that two witnesses have been examined and time will be required, but at this stage without the seizure list witnesses having been examined, I am not inclined to release the petitioner on bail. As such, the prayer for bail of the petitioner is **rejected**.

Learned Trial Court is directed to give priority for examination of the seizure list witnesses preferably within a period of sixty days from the date of communication of this order.

Petitioner will renew his prayer for bail after the evidence of the seizure list witnesses is over.

The application for bail, being CRM (NDPS) 261 of 2026, is, thus, disposed of.

All concerned parties shall act on the server copy of this order duly 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.)