

**24.03.2026**  
Court No.35.  
D/L.13  
Rakib  
**(Allowed)**

**CRM (NDPS) 402 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 Kotwali Police Station case no. 41 of 2025 dated 12.01.2025 under Sections 20(b)/29 of the of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

**In the matter of : Tapas Das.**

**.....Petitioner.**

Mr. Atis Kumar Biswas  
Mrs. Jyoti Agarwal

.....for the Petitioner.

Mr. Bitasok Banerjee  
Mr. Ratul Ghosh

.....for the State.

Learned advocate appearing for the petitioner submits that there has been recovery of 137 kgs of ganja from a vehicle wherein five accused were implicated by the investigating agency in the charge-sheet. Petitioner has been implicated as he is the owner of the vehicle.

Learned advocate for the State opposes the prayer for bail and submits that since the petitioner is the owner of the vehicle his complicity in the offence is explicit.

I find from the record and the report submitted by the State that there were no Call Data Records so far as the present petitioner with even the driver of the vehicle or any person who were boarding the said vehicle. None of the prosecution witnesses also stated regarding the complicity of the present petitioner, particularly that it was at the behest of the owner of the vehicle the contraband was

being carried. The prosecution case is that since the petitioner is the owner of the vehicle he should be automatically implicated in connection with the instant case.

I have taken into account the submissions of both the parties, the period of detention of the present petitioner which is 225 days, as also the fact that 13 witnesses have been proposed to be examined by the prosecution.

Having considered the totality of the circumstances and without commenting anything on the merits of the case, I am of the view that there is no possibility of the trial concluding in near future. As such, petitioner may be released on bail.

Accordingly, petitioner namely, **Tapas Das** shall be released on bail upon furnishing bond of Rs. 20,000/- (Rupees Twenty Thousand only), with two sureties of Rs. 10,000 (Rupees Ten Thousand only) each, one of whom must be local to the satisfaction of the learned Special Court under NDPS Act, Nadia at Krishnagar.

If on bail, the petitioner shall be physically present on each and every date fixed by the learned trial Court and shall not leave the jurisdiction of District of Nadia without the prior permission of the learned Special Court.

Accordingly, the prayer for bail in CRM (NDPS) 402 of 2026 is **allowed**.

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.)**