

31.03.2026

Court No.35.

D/L. 435.

Kausik

(Rejected)

CRM (NDPS) 453 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 Berhampore Police
Station Case No. 2038 of 2024 dated 15th of December, 2024
under section 21(C)/25/27A/29 of the NDPS Act, 1985.

And

In the matter of : Bablu Prasad Gupta & Anr.

.....Petitioners.

Mr. Arnab Chatterjee
Mr. Avik Ghosh
Ms. Debolina Roy

.....for the Petitioners.

Mr. Avishek Sinha
Ms. Puja Goswami

.....for the State.

Learned advocate appearing for the petitioners submits
that the two independent witnesses have not supported the
prosecution case and petitioners are in custody for 1 year and
4 months. As such, the petitioners may be released on bail.

On the other hand, learned advocate for the State
submits that two other witnesses who were at the time of
seizure belonging to the police department, supported the
prosecution case. The quantum of seizure in the present case is
22,300 bottles of Phensedyl recovered from two trucks. Further
the petitioners are from Jharkhand.

Having considered the totality of the circumstances including the quantum of seizure and that two of the seizure list witnesses have supported the case, I am not inclined to release the petitioner on bail.

Accordingly, the prayer for bail of the petitioner in CRM (NDPS) 453 of 2026 is **dismissed**.

However, the prosecution would ensure, at least one witness per month is completed in the present case.

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.)