

08.04.2026
Court No.35.
D/L.293.
Rakib
(Rejected)

CRM (NDPS) 486 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 Gangarampur Police Station case no. 615 of 2024 dated 19.11.2024 under Sections 21(c)/22(c)/23(c)/27A/28/29 of the NDPS Act.

And

In the matter of : Habibur Rahaman @ Habu.

.....Petitioner.

Mr. A. Bhattacharjee
Mr. Kaushik Choudhury
Mr. Dwaipayan Panda

.....for the Petitioner.

Mr. Bitashok Banerjee
Mr. Atanu Ghosh

.....for the State.

Learned advocate appearing for the petitioner submits that petitioner is in custody for three months and the recovery was from an adjacent bamboo garden which do not belong to the present petitioner.

Learned advocate for the State opposes the prayer for bail and submits that there are six antecedents of the present petitioner and all the cases are under the NDPS Act.

The subject matter of the case relates to recovery of 1200 bottles of phensedyl.

Having considered the overall circumstances, at this stage, I am not inclined to release the petitioner on bail.

Petitioner would be liberty to approach this Court after the evidence of the seizure list witnesses are over.

Prosecution would give priority for tendering the seizure list witnesses which should be examined within a period of four months.

With the aforesaid observations CRM (NDPS) 486 of 2026 is dismissed at this stage.

Report submitted by the State be kept with the record.

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.)