

01.04.2026
Court No.35.
D/L.449.
Rakib
(Rejected)

CRM (NDPS) 522 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 Jhargram Police Station case no. 189 of 2025 dated 28.06.2025 under Sections 20(b)(ii)(c)/29 of the Narcotic Drugs Psychotropic Substances Act, 1985.

And

In the matter of : Joy Prakash @ Joyprakash Mahato.

.....Petitioner.

Mr. Soumyajit Das Mahapatra
Ms. Madhuri Sinha
Ms. Upasana Banerjee

.....for the Petitioner.

Mr. Koushik Kundu
Ms. Diksha Ghosh

.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner has been implicated in connection with the instant case for alleged recovery of 50 kgs ganja. Learned advocate submits that petitioner is suffering from HIV infection. Petitioner is under treatment.

Learned advocate for the State submits that the quantity of contraband seized in the present case is of commercial quantity.

Having regard to the quantum of seizure, I am of the view that the rigors of Section 37 of the NDPS Act are attracted, as such the prayer for bail is rejected at this stge.

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

In the meantime, learned trial Court would expedite the process for consideration of charges, if required, the prosecuting agency being directed to immediately complete the process of supply of copies and for further progress of the trial.

Learned advocate for the petitioner submits that the health issue of the petitioner is to be considered.

Having regard to the same, I direct that, if an application is taken out before the learned Special Court, learned Special Court would consider the same with a human face.

Accordingly, CRM (NDPS) 522 of 2026 is **dismissed** At this stage.

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.)