

17.06.2026

Court No.35.

D/L. 20.

Kausik

(Rejected)

CRM (NDPS) 567 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 DRI Case No. DRI/KZU/NDPS/(ENQ)- 106/2025 dated 05.12.2025 under sections 8(c) read with Sections 21(c) and 29 of the NDPS Act, 1985.

And

In the matter of : Kaushik Bera

.....Petitioner.

Mr. Angshuman Chakraborty
Mr. S.S. Saha

.....for the Petitioner.

Mr. Nadeem Sulaiman
Mr. Tapan Bhanja

.....for the DRI Authority.

Learned advocate appearing for the petitioner submits that petitioner is innocent of the charges and has been falsely implicated in connection with the instant case. Petitioner was subsequently arrested pursuant to statement of the accused from whom seizure was made. It has been alleged in the complaint that subsequent to the petitioner being intercepted, there has been further recovery of some contraband. Learned advocate further submits that there was no video recording of the search and seizure and the petitioner was served grounds of arrest in a language which he is unable to understand. On a query from this Court learned advocate submits that petitioner

is only able to understand Bengali and he was served grounds of arrest in English.

Learned advocate appearing for the DRI Authorities submits that there was complete video recording of the search and seizure which has been effected. Each of the seizure list which contains the signature of the present petitioner was signed in English. The plea taken up by the petitioner, that he is unable to understand any language except Bengali is an afterthought and the same is only for the purpose of obtaining bail.

I have taken into account the materials produced by the DRI Authorities. Total seizure in the present case is 2042 bottles of Phensedyl (100 ml. each). Petitioner's complicity cannot be ruled out presently. Records produced by the learned advocate reflects that videography was done at the time of seizure and it is a fact that petitioner signed in English in the documents which were produced.

Having considered the present stage of the case and the provisions of Section 37 of the NDPS Act being attracted, I am not inclined to release the petitioner on bail.

As such prayer for bail of the petitioner in CRM (NDPS) 567 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.)