

09.06.2026
Serial no. 24
[G.S.D]

CRM (NDPS) 777 of 2026

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with N. Case No. 25 of 2025 arising out of Nagerbazar Police Station Case No.195 of 2025 dated 30.08.2025 u/s 20(b)(ii)(c)/29 of the NDPS Act.

-And-

In the matter of : Bappa Das

... .. Petitioner(s)

Mr. Debasis Kar
Ms. Paramita Mukherjee
Mr. Arka Tilak Bhadra

... for the Petitioner(s)

Mr. Sagar Saha

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is in custody since 30th August, 2025. Learned advocate further submits that the petitioner and another were falsely implicated in connection with the instant case and there was no seizure from the present petitioner. According to the learned advocate, the case was foisted as if the present petitioner and the other person were supposed to receive the contraband from the persons from whom seizure has been effected.

Learned advocate again submits that the prosecution has submitted charge-sheet on 22nd February, 2026 relying upon 11 witnesses, as such, there is no possibility of the trial being concluded in the near future. Therefore, he prays

that the petitioner may be enlarged on bail on any stringent condition.

Learned advocate for the State, on the other hand, submits that 34 kg of ganja were recovered, which is commercial quantity, as such, the provision of Section 37 of the NDPS Act is attracted. Learned advocate, therefore, prays that the prayer for bail of the present petitioner should be rejected.

I have taken into account the materials appearing in the Case Diary. In the seizure list, it reflects that there is a column 'From whom seized'- where four names are appearing, which do not include the present petitioner. The same is substantiated by one of the seizure list witnesses, as such, there was no recovery from the present petitioner, as it appears from the Case Diary.

However, so far as the submission of the learned advocate for the petitioner is concerned that there has been accusation that the present petitioner intended to receive the goods is *prima facie* substantiated from the materials available in the case diary.

Having considered that so far as the present petitioner [Bappa Das] is concerned, he has been able to overcome the rigors of Section 37 of the NDPS Act, as such I am inclined to release him on bail.

Hence, the prayer for bail of the petitioner is **Allowed.**

Accordingly, the petitioner viz, **Bappa 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 Judge (NDPS Act), Barrackpore.

If on bail, the petitioner shall also make himself physically available on each and every date so fixed by the learned Special Court/trial court and shall not leave the district of North 24 Parganas without prior intimation to the learned Special Court/trial court.

Accordingly, CRM (NDPS) 777 of 2026 is **allowed.**

Pending application(s), if any, is also disposed of.

Memo of Evidence submitted be kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

