

15.05.2026
Serial no. 60
[G.S.D]

CRM (NDPS) 828 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 PTN Case No. 1593 of 2025 arising out of Kaliachak PS Case No. 1833 of 2025 dated 27.10.2025 u/s 21(c)/27(a)/29 of the NDPS Act.

-And-

In the matter of : Rohim Sk. @ Md. Rahim Sk.

... Petitioner(s)

Mr. Mrityunjoy Chatterjee
Mr. Debarnab Adhikary

... for the Petitioner(s)

Mr. Sagar Saha

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is in custody for more than four and half months.

According to the learned advocate, the subject-matter of the case relates to initial recovery of 1.6 kg of Heroine but there has been no recovery from the present petitioner. Learned advocate added that the present petitioner has been implicated only on the basis of statement of a co-accused.

Mr. Sagar Shaha, learned advocate, appears for the State, as per the directions of this Court. His appearance may be regularized by the concerned authority.

Learned advocate for the State opposes the prayer for bail and submits that after the arrest of the present petitioner, his statement was recorded and consequent to

which another accused was arrested from whom *another* 306 gm of brown sugar was recovered.

Having regard to the fact that the petitioner has criminal antecedents and *prima facie* it reflects that Section 29 of the NDPS Act is glaring so far as the recoveries are concerned, I am of the opinion that the present petitioner cannot get the benefit that there has been no recovery from him.

Considering the same, I am not inclined to enlarge the petitioner on bail.

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

Accordingly, CRM (NDPS) 828 of 2026 is **dismissed.**

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.)

