

29.06.2026

Item No.151

Ct.No.35

dc.

Rejected

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (NDPS) 1093 of 2026

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Kaliachak Police Station Case No. 1629 of 2025 dated 18.09.2025 under Sections 21(c)/25/27A/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Tapan Mandal**

... Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick

... For the Petitioner.

Ms. Arushi Rathore

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for nine months and another accused person has been granted bail. Prosecution has relied upon nine witnesses in support of its case and there is no possibility of the trial either commencing or being concluded in near future. As such, petitioner may be released on bail.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that the accused who has been granted bail is not similarly situated as the present petitioner and the recovery was made from the present petitioner and another.

I have taken into account the quantum of seizure in the present case and I am of the view that the petitioner has failed to overcome the rigors of Section 37 of the NDPS Act. As such, the prayer for bail of the petitioner is **rejected**.

Learned Trial Court is directed to expedite the process as all the accused persons are before the learned Trial Court and it has been submitted that till date, charges have not been framed. Learned Trial Court would take into account the period of detention of the custody accused and expedite the process of progress of the case.

Memo of Evidence submitted by the learned advocate appearing for the State be kept with the record.

The application for bail, being CRM (NDPS) 1093 of 2026, is, thus, disposed of.

All concerned parties shall act on the server copy of this order duly 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.)