

29.06.2026

Item No.148

Ct.No.35

dc.

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (NDPS) 1090 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. 2087 of 2025 dated 22.12.2025 under Sections 21(c)/27A/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Apajit Sarkar and another**

... Petitioners.

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick

... For the Petitioners.

Mr. Rajendra Banerjee, APP,
Mr. Utsav Dutta

... For the State.

Learned advocate appearing for the petitioners submits that the subject-matter of the case relates to alleged recovery of 298 bottles of Phensedyl from an abandoned location and the petitioners have been roped in the present case. Although charge-sheet has already been submitted, but till date, according to the petitioners, charges have not been framed.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that recovery in the present case is not only of commercial quantity, but the petitioners have criminal antecedents.

Having regard to the same, at this stage, I am of the opinion that the twin conditions of Section 37 of the NDPS Act are not satisfied. As such, the prayer for bail of the petitioners is **rejected**.

The application for bail, being CRM (NDPS) 1090 of 2026, is, thus, dismissed.

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.)