

D/L 38

19.06.2026
Rohit, A.R.(Ct.)
ct.no.35
Rejected

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

C.R.M (NDPS) 1168 of 2026

**Arijul Gazi
Vs
Union of India**

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/ Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **NDPS 170 of 2025, NDPS/2094/2025** arising out of **NCB Crime No. 08/NCB/KOL/2025** dated **29.04.2025** under Sections **20(b) (ii) (c)/21(c)/23/29** of the Narcotic Drugs and Psychotropic Substance Act, 1985

And

In the matter of : Arijul Gazi

.....Petitioner.

Mr. Angshuman Chakraborty
Mr. Shashanka Shekar Saha

...for the Petitioner

Mr. Ajit Choubey
Ms. Tanusree Ghosh

...for the Union of India

1. Learned Advocate appearing for the petitioner submits that the petitioner is in custody since 5th December, 2025. There has been no recovery from the present petitioner and the petitioner has been implicated in the present case. The petitioner has been arrested on the basis of the statement of co-accused. So far as the other case is concerned the prosecution has pointed out in the said case also the petitioner has been arrested on the basis of statement of the

co-accused. The petitioner is innocent of the charges and as such he may be released on bail as there is no possibility of the trial commencing in the near future.

2. Learned Advocate appearing for the NCB opposes the prayer for bail.

3. It is a fact that charges till date has not been framed in this case because of absconsion of one accused. However, the seizure list reflects alleged recovery of 21 Kg of Ganja, 364 bottles of Wincerex cough syrup and 24 kgs believe to be of codeine mixture.

4. Records reflect that reports which have been submitted reflect that the petitioner has criminal antecedents although the contention of the present petitioner is that he has been all probability acquitted in one of the cases and so far as the other two cases is concerned he has been implicated on the basis of the statement of co-accused.

5. Petitioner has been granted bail in other two cases. Be that as it may, one of the accused person in the present case is absconding. Petitioner *prima facie* is having criminal antecedents. Having regard to the same at this stage the prayer for bail of the petitioner is rejected.

6. Accordingly, CRM (NDPS) 1168 of 2026 is dismissed.

7. Report submitted by the State be kept with the record.

8. All parties shall act in terms of server copy of the order downloaded from the Official website of this Court.

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

(Tirthankar Ghosh, J.)