

D/L56
11.06.2026
Bpg.
Rejected

C.R.M. (NDPS) 1182 of 2026

In Re: An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Kaliachak Police Station Case No.213 of 2026 dated 11.02.2026 under Sections 21(c)/25/27A/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985;

Ataullah Sk @ Md. Ataullah Sk
Versus
The State of West Bengal

Mr. Sekhar Kumar Basu
Mr. Diptangshu Basu
Mr. Narattam Acharyya.
...for the petitioner.

Mr. Bhaskar Seth
Ms. Anushka Ghosh.
...for the State.

Learned senior advocate appearing for the petitioner submits that the petitioner was implicated in the present case pursuant to his anticipatory bail being allowed in another case being Kaliachak Police Station Case No.1209 of 2024. In the present case, petitioner was arrested on 12th February, 2026. It has also been emphasized that the petitioner was arrested from the court premises which was brought to the notice of the learned special court. Petitioner further challenges that the ground of arrest was not supplied to the petitioner which did not enable the petitioner to properly present the case when he was initially produced before the court. The seizure which has been effected in the present case was after five days of the petitioner's suffering custody at the wee hours

of the night and only two constables were made seizure list witnesses and with coercive measures the petitioner was forced to sign the seizure list. There has been violation of Section 52A of the NDPS Act as also the samples sent to the chemical examiner in a delayed manner. On any stringent conditions, the petitioner prays for bail.

On the other hand, learned advocate appearing for the State opposes the prayer for bail and submits that the grounds of arrest were supplied to the present petitioner.

There were chain of circumstances which led to the arrest of the present petitioner. The investigation of the case is still in progress and the recovery for the present is of commercial quantity. Having considered the fact that the investigation of the case is still in progress, at this stage, I am not inclined to release the petitioner on bail.

Accordingly, the prayer for bail of the petitioner in CRM(M)1182 of 2026 is rejected.

Petitioner would be at liberty to approach this Court after the charge-sheet is submitted before the jurisdictional court.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)

