01.10.2026
Item No.477
Ct.No.35
(Rejected)
(Suman PA)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (NDPS) 1803 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 in connection with Kaliachak Police Station Case No. 128 of 2026 dated 25.01.2026 under Sections 21(c)/27A/29 of the NDPS Act, 1985.

And

In Re : **Md. Nawaz Sharif**

... Petitioner.

Mr. Ayan Bhattacherjee, Sr. Adv.,
Mr. Arnab Saha,
Mr. Abhimanyu Banerjee,
Mr. Abdul Nooman

... For the Petitioner.

Mr. Kallol Mondal, Ld. PP,
Mr. L. Vishal Kumar,
Mr. Sanjib Das

... For the State.

1. Mr. Bhattacharyya, Learned Senior Advocate appearing for the petitioner, prays for bail on behalf of the petitioner assigning the following grounds:

a) Md. Nawaz Sharif Accused No. 12 was not named in the FIR.

b) There was no recovery from Md. Nawaz Sharif Accused No. 12.

c) The involvement of Md. Nawaz Sharif Accused No. 12 transpired from the statement of co-accused which are ex facie inadmissible in the eye of law. Therefore, there is no prosecutable evidence against Md. Nawaz Sharif (Accused No. 12 in connection with the present case).

d) The embargo as envisaged u/s 37 of NDPS Act would not operate qua Md. Nawaz Sharif.

e) Till date, there is no CDR and/or money trail in respect of Md. Nawaz Sharif Accused No. 12.

2. Learned Advocate emphasizes that the present petitioner has been implicated only on the basis of statement of co-accused and there are no admissible evidence so far as the petitioner is concerned and as such is entitled to be released on bail.

3. State on the other hand opposes the prayer for bail and submits that total recovery in the present case is 4.35 kgs of brown sugar. Some of the accused persons have been arrested from Goa and a large racket is operating in the present drug cartel.

4. State has emphasized on the facts as follows:

(i) From the petitioner's bank account, it is found that Rs. 20 to 25 lakhs were received from another accused, namely Saurabh Ali. The subject matter of the case also reflects that from Saurabh Ali, 597 grams of brown sugar was recovered.

(ii) Records also reflect that the petitioner credited a sum of Rs. 8 lakhs to a relation of Sohail Aktar (from whom 603 grams of brown sugar was recovered in this case).

(iii) The total transaction in the account of the present accused, Nawaj Sharif, is more than Rs. 56.34 lakhs (from 1-8-2025 to 31-3-2026).

5. There is a criminal antecedent of the petitioner, and it has been found that the petitioner is also an accused

in connection with Hatigaon PS Case No. 30 of 2024, which was also under the provisions of the NDPS Act.

6. Having considered the connection established by the State and the fact that there are suppression of material facts in the bail application, which includes that the antecedent of the present petitioner in connection with another NDPS case has not been divulged in the bail application, I am of the opinion that the rigors of Section 37 of the NDPS Act is attracted in the present case, as such, the prayer for bail of the petitioner in **CRM (NDPS) 1803 of 2026** is **dismissed**.

7. All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Tirthankar Ghosh, J.)