01.10.2026
Item No.470
Ct.No.35
(Rejected)
(Suman PA)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (NDPS) 1982 of 2026

In Re : An Application for bail under 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 : **Mursalim @ Morselin Sk @ Mursalim Sk**
... Petitioner.

Mr. Sekhar Kumar Basu, Sr. Adv.,
Md. Wasim Akram,
Ms. Sabrina Parveen
... For the Petitioner.

Mr. Kallol Mondal, Ld. PP,
Dr. Pradip Banerjee, Ld. APP,
Mr. Arijit Bhusan Bagchi,
Mr. Pritam Roy,
Mr. Rishav Kumar Singh
... For the State.

Learned Advocate appearing for the petitioner submits that petitioner is in custody from 25th January, 2026 and he has been accused subsequent to recovery of 446 grams of crude opium, in a case where the prosecution alleges that there has been a total recovery of 4.35 kg of brown sugar.

Charge-sheet has already been submitted and there has been no quantification in respect of the contraband which has been seized, as would be evident from the Chemical Examiner's report, as such, the judgment of Sentu Sk. vs. State of West Bengal (SLP (Crl) No. 13987 of 2025) is applicable to the facts of the present case.

State, on the other hand, opposes the prayer for bail and submits that commercial quantity of contraband has been seized from the joint possession of the petitioner and petitioner is involved in a racket which deals with brown sugar. State submits that the racket is an inter-state racket and petitioner is part of the said drug cartel. The total quantity of recovery in the present case is 4.35 kgs of brown sugar. The chain of seizures in the present case reflects the complicity of the present petitioner. As such, petitioner's prayer for bail be refused.

I have taken into account the submissions of the respective parties and considered the seizure from the petitioner as well as the total quantum which has been seized in the present case, and the manner in which people are involved from West Bengal to Manipur and Goa.

As such, I am of the view that quantification solely attributed to the petitioner cannot be the sole ground for considering the bail in favor of the accused. So, the judgment of Sentu Sk. (supra) relied upon by the petitioner has no application.

The rigors of Section 37 of the NDPS Act are attracted.

As such, the prayer for bail of the petitioner is **rejected**.

Consequently, **CRM (NDPS) 1982 of 2026** is 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/judgment, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)