

20.01.2026
Item No.ML53
Ct.No.35
Susanta

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (NDPS) 1328 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with N.D.P.S. Case No. 16 of 2025 arising out of Burwan Police Station Case No. 22 of 2025 dated 21.01.2025 under Section 21(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Rafique Sk**

...
Petitioner.

Mr. Firdous Samim,
Ms. Gopa Biswas,
Mr. Md. Jannat Ul Firdous,
Mr. Mainak Ghosal,
Mr. Naman Shah,

... For the Petitioner.

Ms. Baisali Basu, Ld. Jr. Govt. Adv.,
Mr. Asif Dewan,

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner was arrested on 21.01.2025 and since then he is in custody for alleged recovery of 207 bottle of Phensedyl.

Learned advocate appearing for the State, on the other hand, submits that petitioner has antecedent of criminal offences and at least eight cases are pending against him.

However, so far as the present case is concerned, since the co-accused is absconding, the learned Trial Court is unable to proceed with the case.

Learned Trial Court, as such, is directed to exhaust the process of law by splitting up the trial of the case. After the stage of consideration of charges are over, the learned Trial Court would release the petitioner on bail on such terms and conditions as it deems fit and proper after ensuring his further appearance in course of the trial.

Report submitted by the State be kept with the record.

The application for bail, being CRM (NDPS) 1328 of 2025, is, thus, disposed of.

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.)