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21.01.2026
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dismissed

C.R.M. (NDPS) 1481 of 2025

In Re: An application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with Chakdaha
Police Station Case No.59 of 2025 dated 17.01.2025 under Sections
21(C)/25/29 of the Narcotic Drugs and Psychotropic Substances Act,
1985;

Santosh Kumar Shaw
Versus
The State of West Bengal

Ms. Karabi Roy.
...for the petitioner.

Mr. Sanjay Banerjee
Ms. Madhumita Basak.
...for the State.

Learned advocate appearing for the petitioner submits
that the petitioner is innocent of the charges and has been falsely
implicated on the basis of statement of some of the witnesses
and/or the accused persons because of the volume of the seizure
effected from the two trucks. The investigating authorities are
bolstering a case so far as the present petitioner is concerned. The
petitioner was arrested and is in custody for 265 days.

Learned advocate for the State has opposed the prayer
for bail and submitted that the petitioner was throughout in touch.
The route of the vehicle was from Allahabad, Bardhaman,
Chanditala, Hooghly and thereafter it was sent to the district of
Nadia.

Learned advocate for the petitioner has tried to rebut

such contention of the State by submitting that the vehicle was being used by another person on the basis of a verbal agreement.

However, such issue is a question of fact to be determined in course of cross-examination.

Having considered that the charges have been framed and witness action has already commenced and there is no more substantial materials for this Court to consider for overcoming the charges under Section 37 of the NDPS Act, I am of the view that, at this stage, the prayer for bail of the petitioner should be rejected.

Accordingly, CRM(NDPS)1481 of 2025 is dismissed.

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.)