

09.02.2026
Court No.35.
D/L.13
Rakib
(Allowed)

CRM (NDPS) 1684 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Gangarampur Police Station case no. 532 of 2024 dated 05.10.2024 under Sections 21(c)/22(c)/23(c)/25/27A/28/29 of the of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : Basudeb Ghosh.

.....Petitioner.

Mr. Pawan Kumar Gupta
Mr. Shiladitya Barma
Ms. Priyanka Ghosh

.....for the Petitioner.

Mr. Madhusudan Sur, Ld. APP
Ms. Diksha Ghosh

.....for the State.

Learned advocate for the petitioner submits that petitioner is in custody for about three months and the petitioner has been implicated in connection with the instant case on the basis of statement of co-accused.

Learned advocate for the State opposes the prayer for bail and submits that the petitioner has antecedents, there are CDR and money trail which are available in the Case Diary.

The subject matter of the case also involves recovery of 4950 bottles of phensedyl and 3500 ampoules of buprenorphine.

I have taken into account the subject matter of the case, although the Case Diary contains CDR and the alleged money trail but in the charge-sheet submitted before the jurisdictional Special Court none of such documents have been relied upon by the investigating officer.

Having considered the same that the only legally admissible evidence at this stage are the statement of the co-accused and/or other witnesses and the petitioner is in custody for almost 11 months, and since charge-sheet has been submitted before the Jurisdictional Court, I am of the opinion that further detention of the petitioner is not warranted. Accordingly, the prayer for bail of the petitioner is **allowed**.

As such, petitioner namely, **Basudeb Ghosh** shall be released on bail upon furnishing bond of Rs. 20,000/- (Rupees Twenty Thousand only), with two sureties of Rs. 10,000 (Rupees Ten Thousand only) each, one of whom must be local to the satisfaction of the learned Special Judge (under NDPS Act) cum learned Additional District & Sessions Judge, 3rd Court, Balurghat, Dakshin Dinajpur.

If on bail, the petitioner shall be physically present on each and every date before the learned trial Court in seisin of the case and shall not leave the jurisdiction of Gangarampur Police Station without the prior permission of the learned Special Court as also the Inspector-in-Charge of the local police station. .

Accordingly, the prayer for bail in CRM (NDPS) 1684 of 2025 is **allowed**.

Report submitted by the State be kept with the record.

All parties shall act in terms of server copy of the order 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.)