

19.01.2026

Item No.25

Ct.No.35

dc.

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (NDPS) 24 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 filed in connection with Kumarganj Police Station Case No. 94 of 2022 dated 21.03.2022 under Sections 21(C)/22(C)/23(C)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Raju Sarkar**

... Petitioner.

Mr. Anindya Ghosh,
Ms. Sumita Sarkar

... For the Petitioner.

Mr. Joydeep Roy,
Mr. Sachit Talukdar

... For the State.

Learned advocate appearing for the petitioner submits that there was no recovery from the possession of the petitioner, yet the petitioner has been arrested for alleged recovery of 103 bottles of phensedyl.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that the case is of the year 2022; warrant, proclamation and attachment were issued pursuant to which petitioner has been arrested in the month of September, 2025. The petitioner happens to be the owner of the motorcycle from where the recovery was effected.

Having considered the period for which the petitioner fled away from the process of law and the recovery being

made, I am of the opinion that this is not a fit case for releasing the petitioner on bail at this stage as the provision of Section 37 of the NDPS Act is attracted. As such, the prayer for bail of the petitioner is **rejected**.

The application for bail, being CRM (NDPS) 24 of 2026, is, thus, 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, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)