

19.01.2026

Item No.27

Ct.No.35

dc.

Rejected

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (NDPS) 26 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 Kaliachak Police Station Case No. 868 of 2025 dated 24.05.2025 under Sections 21(C)/27A/29/25 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Hasan Ali**

... Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick

... For the Petitioner.

Mr. Antarikhya Basu,
Ms. Trisha Rakshit

... For the State.

Learned advocate appearing for the petitioner submits that the subject-matter of the case relates to recovery of 351 bottles of Phensedyl allegedly from the possession of the present petitioner. The other accused persons have already been released on bail. As such, petitioner be released on bail as charge-sheet has already been submitted after the investigation having been completed.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that the petitioner is not similarly situated as other accused persons who have been released on bail.

Having considered the materials on record, I am of the view that the provision of Section 37 of the NDPS Act is attracted.

Petitioner is in custody for eight months and the next date has been fixed for consideration of charges. Having regard to the same, I am of the view that the petitioner be well advised to approach this Court for renewal of prayer for bail after the evidence of seizure list witnesses is over.

Learned Special Court would direct the public prosecutor to give priority for examination of the seizure list witnesses after the charges are framed.

At this stage, the prayer for bail of the petitioner is **rejected.**

The application for bail, being CRM (NDPS) 26 of 2026, 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.)