

19.02.2026

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jb.

jdt.

Allowed

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (NDPS) 34 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with New
Jalpaiguri P.S. Case No. 286 of 2025 dated 03.05.2025 under
Sections 20(b)(ii)/(c)/29 of the Narcotic Drugs and Psychotropic
Substances Act.

And

In Re : Samir Tukaram Bheke @ Samir Bheke & Anr.

Mr. Sourav Ganguly
Mr. Papai Mahammad
Ms. Rishita Chakraborty

... For the Petitioners.

Mr. Aditi Shankar Chakraborty
Mr. Biswarup Roy

... For the State

The petitioners pray for bail primarily on the ground that
grounds of arrest have not been communicated to them at the time
of their arrest.

It is not in dispute that grounds of arrest have not been
communicated to the petitioners in terms of the mandate laid down
by the Hon'ble Supreme Court in a catena of judgments. On that
score alone, the petitioners are entitled to be released on bail
despite the fact that narcotic substance of commercial quantity has
been recovered from their possession.

Accordingly, the prayer for bail is allowed.

The petitioners namely Samir Tukaram Bheke @ Samir Bheke and Nilesh Pandurango Borade @ Nilesh Borade shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only) each, with two sureties of like amount each, one of whom must be local to the satisfaction of the learned Additional Sessions Judge, 1st Court, under the NDPS Act, Jalpaiguri subject to condition that they shall remain within the jurisdiction of the learned trial Court and shall furnish the address where they shall presently reside before the learned trial Court, the investigating officer and the concerned officer in charge of the police station under whose jurisdiction they shall henceforth reside. They shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioners fail to adhere to any of the conditions stated hereinabove, the learned trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

CRM (NDPS) 34 of 2026 is disposed of.

Case diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)