

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) 39 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with NJP
GRPS Case No. 53/25 dated 30.06.2025 under Sections
8(c)/20(b)/(ii)/(C)/29 of the Narcotic Drugs and Psychotropic
Substances Act.

And

In Re : Krishna Gopal Shil Sharma

Mr. Dhiman Sil
Mr. Bibek Tarafder

... For the Petitioner.

Mr. Aditi Shankar Chakraborty
Mr. Biswarup Roy

... For the State

The petitioner prays for bail primarily on the ground that
grounds of arrest have not been communicated to him at the time
of his arrest. Also, the arrest memo and the seizure list do not
contain date of arrest/seizure.

It is not in dispute that grounds of arrest have not been
communicated to the petitioner at the time of his arrest in
compliance with the mandate laid down by the Hon'ble Supreme
Court in a catena of judgments.

On such score alone, the petitioner is entitled to be released
on bail despite the fact that contraband articles of commercial
quantity have been recovered from him.

Accordingly, the prayer for bail is allowed.

The petitioner namely Krishna Gopal Shil Sharma shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties of like amount each, one of whom must be local to the satisfaction of the learned Judge, Special Court under the NDPS Act 1st Court, Jalpaiguri subject to condition that he shall remain within the jurisdiction of the learned trial Court and shall furnish the address where he shall presently reside before the learned trial Court, the investigating officer and the concerned officer in charge of the police station under whose jurisdiction he shall henceforth reside. He 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 petitioner fails to adhere to any of the conditions stated hereinabove, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

CRM (NDPS) 39 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.)