

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

**23.02.2026
Sl. no. 99
Ct. No. 6
Susanta
(ALLOWED)**

C.R.M. (NDPS) 58 OF 2026

In Re : An application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 in connection with Mathabhanga Police Station Case No. 570 of 2025 dated 16.07.2025 under Sections 20(b)(ii)(c)/25/29 of the NDPS Act.

And

In the matter of : **Biswajit @ Biswa Roy @ Tappa.**

.... Petitioner

Mr. Debasish Mukhopadhyay,
Ms. Srishti Sarkar,
Ms. Payel Chanda,

.... For the petitioner.

Mr. Tapan Bhattacharjee,
Mr. Dhiman Sil,

... For the State.

Learned counsel for the petitioner submits that alleged recovery was effected from the co-accused Jubair Khan @ Jubair.

The name of the petitioner has appeared only in the statement of the co-accused during the police custody.

Learned counsel submits that no recovery has been effected from the possession of the accused nor is there any transaction between the petitioner and the co-accused.

Learned counsel for the State has fairly submitted that there is no evidence of any transaction between the co-accused Jubair Khan @ Jubair and the present petitioner.

Learned counsel has also submitted that there is no reflection of any other criminal antecedent of the present petitioner, however, the bail has opposed on the ground of gravity of the offence.

The Court considers that since the name of the petitioner has appeared only in the Statement of the co-accused and no recovery has been effected from the present petitioner nor there is any evidence of any transaction between the petitioner and co-accused so far the petitioner is admitted to bail.

Thus taking into the facts and circumstances of the case, the petitioner is released on bail of Rs. 10,000/- with two sureties of the like amount, one of whom must be local, to the satisfaction of the learned Additional Sessions Judge, 1st Court, (NDPS), Cooch Behar, subject to the condition that the petitioner shall appear before the learned Trial Court even every date of hearing until further orders. The petitioner shall not threaten, tamper or intimidate the complainant or members of the family in any manner or whatsoever commit similar offence in future. The petitioner shall not leave to the jurisdiction of the learned Trial court until further orders. In case the petitioner violates any such condition the prosecution is at liberty to move an application for cancellation of bail.

The application for bail is allowed.

C.R.M. (NDPS) 58 of 2026 stands disposed of.

Urgent photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all usual requisite formalities.

(Dinesh Kumar Sharma, J.)