

23.03.2026
Item No.7
Court No.7
CHC
(Rejected)

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side

CRM(NDPS) 79 of 2026

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023; in connection with Sahebganj Police Station Case No.396/2025 dated 13.07.2025 under Section 21(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : **Nirasha @ Niyasha Ali @ Haque**
..... petitioner

Mr. Hillol Saha Podder, Advocate
...for the petitioner

Mr. Nilay Chakraborty, Ld. A.P.P
Mr. Bhaskar Das, Advocate
...for the State

1. Report as called for by the order dated March 16, 2026 filed in Court be taken on record.
2. It is the contention of the petitioner that, nothing was seized from the possession of the petitioner. The vehicle from which the contraband was seized does not belong to the petitioner.
3. Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary including the Sale Deed in relation to the vehicle concerned.
4. It transpires from the case diary that, by a written document, the erstwhile owner of the vehicle from which,

the commercial quantity of contraband was seized, sold the vehicle to the petitioner. Petitioner is now seeking to deny such sale.

5. Since, there are documentary evidence to support the case of the prosecution that, the petitioner is the owner of the vehicle from which, commercial quantity of contraband was seized, and since conscious possession of the petitioner over the seized commercial quantity of contraband cannot be discounted, I am of the view that, the petitioner is unable to overcome the restrictions under Section 37 of the NDPS Act, 1985.
6. Consequently, prayer for bail of the petitioner is rejected.
7. **CRM (NDPS) 79 of 2026 is dismissed.**

(Debangsu Basak, J.)