

17.03.2026
DL-69
Court No.7
(Bail **Rejected**)
[Bench ID-1592]
(AD)

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction
Appellate Side

CRM (NDPS) 116 of 2026

In re : An Application for post arrest Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita 2023 corresponding to Section 439 of the Code of Criminal Procedure, 1973 in connection with **Siliguri** Police Station Case No. **313** of **2025** dated **14.05.2025** under Sections **21(c)/22(c)/29** of the Narcotic Drugs and Psychotropic Substances Act, 1985, pending before the Learned Judge, Special Court (NDPS), ADJ 2nd Court at Siliguri, District Darjeeling under the NDPS Act.

-And-

In the matter of : Smt. Bharati Mandal

... ...Petitioner

Mr. Pritam Roy, Advocate
Ms. Silpi Basu, Advocate

... ... For the petitioner

Mr. Tapan Bhattacharjee, Advocate
Mr. Dhiman Sil, Advocate

... ...For the State

1. Petitioner prays for bail.
2. Learned Advocate appearing for the petitioner submits that, the petitioner is a lady. She was trying to attend to her medical condition when the raid took place and she was arrested.
3. Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary.
4. Three persons were arrested including the petitioner with the commercial quantity of contraband under the NDPS Act, 1985.

5. In response to a query of the Court, learned Advocate for the petitioner submits that the two other persons arrested were not known to the petitioner.
6. In response to another query, learned Advocate for the petitioner submits that all three persons arrested including the petitioner were riding a scooty at the time of interception.
7. It is inconceivable that the petitioner did not know the co-accused or was there by chance as sought to be contended.
8. In view of the seizure of the commercial quantity of contraband from the joint possession of the petitioner, I am not in a position to arrive at a finding that the petitioner is able to overcome the restrictions under Section 37 of the NDPS Act, 1985.
9. In such circumstances, the prayer for bail of the petitioner is rejected.
10. **CRM (NDPS) 116 of 2026** is dismissed.

(Debangsu Basak, J.)