

18.03.2026
Item No.17
Court No.7
CHC
(Allowed)

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side

C.R.M.(NDPS) 165 of 2026

In Re:- An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to 439 of the Code of Criminal Procedure, 1973 in connection with Bhaktinagar Police Station Case No.1217 of 2025 dated 21.12.2025, under Sections 21(c)/22(c)/29 of the NDPS Act, 1985.

And

In the matter of : **Vinoy Kumar @ Vinay Kumar**
..... petitioner

Ms. Srishti Sarkar, Advocate
...for the petitioner

Mr. Kallol Charjee, Advocate
Mr. Bhaskar Das, Advocate
...for the State

1. Petitioner prays for bail.
2. Learned advocate appearing for the petitioner submits that, no narcotic was seized from the possession of the petitioner. She refers to the First Information Report. Consequently, she prays for bail.
3. Learned advocate appearing for the State submits that, a joint seizure was made from four persons. He refers to the seizure list dated December 21, 2025 in this regard. He submits that, commercial quantity of narcotics was seized from such seizure.
4. Case diary demonstrates that, a seizure was made on December 21, 2025 from four persons at National

Highway No.10. Out of four persons, the petitioner is one of them. Apparently, there is no nexus between the three other co-accused and the petitioner. Case Diary does not contain any material at this stage to point to any nexus between the petitioner and the other three co-accused.

5. No recovery of narcotic was made from the petitioner. What was recovered was three packets of sodium carbonate. However, commercial quantity of narcotics was recovered from the possession of the three other co-accused.
6. In absence of any nexus being shown between the three other co-accused and the petitioner, I am minded to hold that, the petitioner is able to overcome the restrictions under Section 37 of the NDPS Act, 1985.
7. Consequently, prayer for bail of the petitioner is granted.
8. Accordingly, I direct that the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten 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 NDPS Act), 1st Court, Jalpaiguri, subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.
9. In the event petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at

liberty to cancel his bail in accordance with law without further reference to this Court.

10. The application for prayer for bail is allowed.

11. **CRM(NDPS) 165 of 2026** is **disposed of**.

(Debangsu Basak, J.)