

10.06.2026
Court No.4
Item No.2
AP/BP

**HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

CRM (NDPS) 250 of 2026

In Re: - An application for 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 Kharibari Police Station Case No.302 of 2025 dated 19.10.2025 under Sections 21(c)/29 of the NDPS Act.

And

In the matter of: **Pulak Das and Anr.**

....Petitioners.

Mr. Somraj Paul
Mr. Rishav Kesri

...For the Petitioners.

Mr. Avrojoyti Das, APP
Ms. Panchali Deb Sikdar (Nag)

...For the State.

1. Learned counsel representing the petitioners submits that nothing has been seized from these petitioners. It has been seized from Bapi Sekh and Nitai Mali. He further submits that there are no signatures of these accused petitioners on the seizure list. He further submits that the allegation raised against these petitioners cropped up from the Call Details Record (hereinafter referred to "the CDR") and further submits that the accused petitioners are in custody for about 220 days. Considering the non-participation of the petitioners in the alleged offence, learned counsel prays for bail.

2. Learned Additional Public Prosecutor vehemently opposes the prayer for bail and submits that the articles seized are of

commercial quantity. He further submits that as nothing has been seized from these accused persons, so question of signature of these accused persons does not arise in the seizure list and the names of these petitioners have arisen from the CDR. These accused petitioners were apprehended from a car which was travelling just behind a scooty, wherefrom the alleged seizure of the articles took place. The names of these petitioners were stated by Bapi Sekh from whom the articles have been seized.

3. On going through the case diary including the seizure list, the CDR, it transpires that huge quantity of substance has been recovered and the CDR also comes to aid to the prosecution. Considering the aforesaid circumstance, this Court is not inclined to grant bail to the petitioners.

4. The application for bail is thus rejected.

5. The case diary is returned to the learned Additional Public Prosecutor in Court today.

6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Supratim Bhattacharya, J.)