

09.06.2026
Court No.4
Item No.36
AP

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

CRM (NDPS) 260 of 2026

In Re: - An application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with Kotwali
Police Station Case No.29 of 2026 dated 18.01.2026 under
Sections 21(b)/29 of the NDPS Act.

And

In the matter of: **Uttam Dey**

....Petitioner.

Mr. Sourav Ganguly
Mr. Bibek Tarafdar

...For the Petitioner.

Mr. Avrojoyti Das, APP
Mr. Uday Bhattacharjee

...For the State.

1. Learned counsel representing the petitioner, Uttam Dey, submits that 101.65 grams of brown sugar has been allegedly recovered from the accused persons. The seizure list reflects so. He further submits that the said quantity is intermediate quantity and much below the commercial quantity of 250 grams. He further submits that Section 37 of the NDPS Act is not a bar in this present situation.

2. Learned counsel further submits that the petitioner is in custody for about 142 days. He also submits that the accused, namely Shibu @ Sibbu Ghosh has been granted anticipatory bail by a coordinate Bench of this Court in CRM (A) 151 of 2026.

3. Considering the quantity of substance recovered, he prays for bail.

4. Learned Additional Public Prosecutor submits that charge sheet has been filed without forensic report. He does not oppose the prayer for bail.

5. Considering the quantity of substance recovered, which is much below the commercial quantity, the petitioner is granted bail.

6. Accordingly, the petitioner shall be released on bail upon furnishing bond of Rs.20,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under the NDPS Act, Jalpaiguri on conditions that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner shall not leave the jurisdiction of the district of Jalpaiguri without prior permission of the Trial Court.

7. In the event the petitioner fails to comply with the aforesaid conditions without any justifiable cause, the Trial Court shall be at liberty to cancel his bail without reference to this Court.

8. The application for bail is thus disposed of.

9. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Supratim Bhattacharya, J.)