D/L 14

20.11.2026
Rohit, A.R.(Ct.)
ct.no.5

In the High Court at Calcutta

Criminal Miscellaneous Jurisdiction
Circuit Bench at Jalpaiguri

C.R.M (NDPS) 510 of 2026

Amirul Sk
Vs
The State of West Bengal

In Re: An Application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Tufanganj** Police Station Case No. **228** of **2025** dated **26.04.2025** under Sections **20(b)(ii)(c)/29** of the Narcotic Drugs and Psychotropic Substances Act, 1985.
And
In the matter of : Amirul Sk

...Petitioner.

Mr. Jaydeep Kanta Bhowmik
Mr. Sayantan Bhowmik
Ms. Jasmin Haque
Ms. Priti Das

...for the Petitioner

Mr. Avrojyoti Das, Ld. A.P.P
Mr. Gobinda Ghosh
Mr. Mayank Bhandari

...for the State

1. The learned Advocate representing the petitioner submitted the petitioner to be in custody since 26th April, 2025. Five out of 12 charge-sheeted witnesses have been examined. He relied upon the deposition of one seizure witness who had turned hostile. He further referred to an order dated 10th November, 2026 passed by the Co-ordinate Bench of this Court in CRM (NDPS) 507 of 2026 whereby the Co-ordinate bench considering the trend of oral evidence including the testimony of independent witnesses, seizure witnesses to be inconsequential had allowed the prayer for bail.

2. The learned Advocate representing the State relied upon the decision of the Division Bench of this Court in 445 of 2024 as stated in paragraph 20 to 24 wherein disregarding the hostility on the part of the seizure witnesses the prayer for bail was rejected.

3. The aforesaid observation was further endorsed by another decision relied upon by the learned Advocate representing the State in ***2026 Supreme (SC) 803*** in paragraph nos. 10 and 11.

4. The contraband article seized was of commercial quantity i.e. ganja. The process of trial is yet to be concluded with seven witnesses remaining out of which the learned Advocate representing the petitioner has placed the evidence of one seizure witness who had turned hostile.

5. The Trial Court is to assess the evidence adduced by all the witnesses and not in isolation of any particular seizure list witness.

6. The rigours of Section 37 of the NDPS Act could not be allayed and accordingly this Court is not inclined to grant the prayer for bail.

7. The Trial Court is to expedite the process of recording evidence of the remaining seven witnesses expeditiously without granting unnecessary adjournments to either of the parties disregarding the cease work, if any, held by the local bar.

8. The Registrar, Circuit Bench, Jalpaiguri is directed to communicate this order to the learned Trial Court.

9. Accordingly, CRM (NDPS) **510** of 2026 is **dismissed**.

10. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

11. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Ananya Bandyopadhyay, J.)