

19.02.2026

76

jb.

jdt.

Allowed

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (NDPS) 462 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with
Bhaktinagar Police Station Case No. 1135/24 dated 04.12.2024
under Sections 21(c)/22(c)/25/29 of the Narcotic Drugs and
Psychotropic Substances Act.

And

In Re : Haridas Barman

Mr. Hillol Saha Podder

Ms. Mousumi Das

... For the Petitioner.

Mr. Abhijit Sarkar

Mr. Saikat Chatterjee

... For the State

Learned counsel for the petitioner submits that grounds of
arrest have not been communicated to the petitioner at the time of
arrest. There has been no compliance of Section 50 of the NDPS
Act and the search and seizure have been monitored by the
Inspector in Charge of the concerned police station who was
leading the raiding team.

Learned counsel for the State opposes the prayer.

In view of the fact that grounds of arrest have not been
communicated to the petitioner and the search and seizure have
not been monitored by the superior police officer not below the
rank of Additional Superintendent of Police as mandated by this

Court, the rigours of Section 37 of the NDPS Act have been diluted. The petitioner is entitled to bail.

Accordingly, the prayer for bail is allowed.

The petitioner namely Haridas Barman shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties of like amount each, one of whom must be local to the satisfaction of the learned Additional Sessions Judge, Special Court under the NDPS Act, 1st Court, Jalpaiguri subject to condition that he shall remain within the jurisdiction of the learned trial Court and shall furnish the address where he shall presently reside before the learned trial Court, the investigating officer and the concerned officer in charge of the police station under whose jurisdiction he shall henceforth reside. He shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stated hereinabove, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

CRM (NDPS) 462 of 2025 is disposed of.

Case diary be returned.

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

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

(Suvra Ghosh, J.)

