

12.02.2026

Item No.72

Ct.No.5

b.das

Allowed

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

C.R.M. (NDPS) 506 of 2025

In Re : An application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Pundibari Police Station Case No. 1096 of 2024 dated 30.12.2024 under Sections 21(c)/29 of the NDPS Act.

And

In Re : **Ajijar Rahaman @ Pocha**

... Petitioner

Mr. Hillol Saha Podder

Ms. Mousumi Das

... for the Petitioner

Mr. Kallol Acharjee

Mr. Biswarup Roy

... For the State

The petitioner is in custody for more than 400 days and prays for bail.

Learned counsel for the State opposes the prayer.

It is not in dispute that grounds of arrest were not communicated to the petitioner either verbally or in writing at the time of or even after his arrest. Though the allegation against the petitioner is serious in nature and contraband article exceeding commercial quantity has been recovered from him, he is entitled to be released on bail solely on the ground of non communication of grounds of arrest to him as also held by the Hon'ble Supreme Court time and again.

Accordingly prayer for bail is allowed.

The petitioner **Ajijar Rahaman @ Pocha** 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 Special Court (NDPS), Coochbehar subject to condition that he shall remain within the jurisdiction of learned Trial Court and shall appear before the learned trial Court on every date of hearing. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with any of the conditions as mentioned above without justifiable cause, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail being CRM 506 of 2025 is, thus, disposed of.

Case Diary be returned.

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

(Suvra Ghosh, J.)