

16.02.2026
Item No.16
Ct.No.6
b.das
Allowed

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

C.R.M. (NDPS) 518 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 Mathabhanga PS Case No. 172 of 2024 dated 30.03.2024 under Sections 21(c)/29 of the NDPS Act.

And

In Re : **Rashidul Haque**

... Petitioner

Mr. Subhasish Misra

Mr. Satyajit Paul

Mr. Raunak Ghosh

... for the Petitioner

Mr. Nilay Chakraborty

Mr. Bhaskar Das

Mr. Dhiman Sil

... for the State.

Learned counsel for the petitioner submits that no contraband article has been recovered from the petitioner and his name has transpired from the statement of the co accused.

Learned counsel for the State opposes the prayer.

I have considered the material on record.

In view of the fact that the petitioner's name has transpired from the statement of the co accused and no recovery has been made from the petitioner, this Court is inclined to hold that the petitioner has been able to rebut the statutory restriction laid down under Section 37 of the NDPS Act and is entitled to be released on bail.

Accordingly prayer for bail is allowed.

The petitioner Rashidul Haque 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, 1st Court (NDPS), Coochbehar subject to condition that he shall reside 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 518 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.)