

February 16, 2026

34 ARDR

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

CRM (NDPS) 557 of 2025

In Re : An application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with **Bagdogra** Police
Station case no. **134** of **2025** dated **29/4/2025** under Sections
21(c)/23(c)/29 of the NDPS Act..

And

In Re : **Jayanta Barman & anr.**

... Petitioners.

Adv. Hillol Saha Poddar,
Adv. Mousumi Das,

... for the Petitioner.

Adv. Tapan Bhattacharjee,
Adv. Biswarup Roy,

...for the State.

The petitioners are in custody for about 300 days and pray for
bail primarily on the ground that no recovery has been made from
them. It transpires from the statement of the co accused that they
were about to deliver the consignment to the petitioners when they
were apprehended. Also, the time of appearance of the gazetted
officer in the complaint vis-a-vis the seizure list is contradictory.

Learned counsel for the State opposes the prayer.

It appears from the written complaint that the co accused
delivered the consignment of contraband article to the petitioners
and were waiting for payment of the same when they were
apprehended. Contraband substance of commercial quantity has
been recovered from the joint possession of the petitioner and the co
accused. It is a fact that there is discrepancy between the time of
seizure of the contraband and presence of the gazetted officer at the

spot. Such discrepancy shall be dealt with at the appropriate stage of trial. In view of statutory restrictions laid down under Section 37 of the NDPS Act, prayer for bail is rejected at this stage.

CRM (NDPS) 557 of 2025 is disposed of.

Case Diary be returned.

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

(Suvra Ghosh, J.)