

25.03.2026
Item No.18
Court No.7
CHC
(Rejected)

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side

CRM(NDPS) 576 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023; corresponding to Section 439 of the Code of Criminal Procedure, 1973; in connection with Jaigaon Police Station Case No.112 of 2025 dated 05.06.2025 under Sections 21(c)/25/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : **Rajat Majid @ Chhotu**

..... petitioner

Mr. Pritam Roy, Advocate
Ms. Silpi Basu, Advocate

...for the petitioner

Mr. Nilay Chakraborty, Ld. A.P.P.
Mr. Sagnik Sankar Sikdar, Advocate

...for the State

1. Petitioner prays for bail on the ground of deficiency in the search and seizure procedure.
2. Materials in the case diary suggest that, there was Gazette Officer during the time of search and seizure.
3. Commercial quantity of narcotic seized from the exclusive possession of the petitioner at a place near international border between India and Bhutan.
4. Absence of independent witness in the search and seizure process is not always fatal to the case of the prosecution.
5. Given the gravity of the offence and the complicity of the petitioner therein, I am of the view that, the petitioner is

unable to overcome the restrictions under Section 37 of the NDPS Act, 1985.

6. Consequently, prayer for bail of the petitioner is rejected.
7. **CRM (NDPS) 576 of 2025** is **dismissed**.

(Debangsu Basak, J.)