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Allowed

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

C.R.M. (NDPS) 582 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with Malbazar
Police Station Case No. 736 of 2024 dated 29.12.2014 under
Sections 21(c)/22(c)/25/27A/29 of the Narcotic Drugs and
Psychotropic Substances Act read with Section 25(1B)/(a)/29/35 of
the Arms Act.

And

In Re : Sanjib Sarkar

Mr. Jaydeep Kanta Bhowmik

Mr. Asim Sarkar

Mr. Shubham Kumar

Mr. Bibek Tarafdar

Ms. Priti Das

... For the Petitioner.

Mr. Aditi Shankar Chakraborty

Mr. Kallol Acharjee

Mr. Kallol Nag

... For the State

Report submitted by the State is taken on record.

It appears from the documents produced by the petitioner
before the investigating officer that the petitioner possesses a valid
licence under the Drugs and Cosmetics Act, 1940. Though the
report says that the invoice produced by the petitioner does not
match with the seized articles, it is not the case of the prosecution
that such articles were illegally procured or sold.

In view of the above, this Court is inclined to hold that the petitioner has been able to rebut the statutory restriction under Section 37 of the NDPS Act and is entitled to be released on bail.

Accordingly, the prayer for bail is allowed.

The petitioner namely Sanjib Sarkar 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 District and Sessions Judge, 1st Court, (NDPS Act), Jalpaiguri subject to condition that he shall remain within the jurisdiction of the learned trial Court and shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court. He 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) 582 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.)