

February 16, 2026

44 ARDR
Allowed

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

CRM (NDPS) 586 of 2025

In Re : An application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with **NJP GRPS** case
no. **22** of **2025** dated **20/3/2025** under Sections **8(c)/21(c)/29** of
the NDPS Act.

And

In Re : **Nitesh Kumar**

... Petitioner

Adv. Biswaroop Roy,
Adv. Santanu Bhowmik,
Adv. Rinka Chakraborty,

... for the Petitioner.

Adv. Adhiti Shankar Chakraborty,
Adv. Dr. Arjun Chowdhury,

...for the State.

The petitioner is in custody for more than 300 days and prays
for bail primarily on the ground that grounds of arrest have not been
communicated to him at the time of his arrest.

Learned counsel for the State opposes the prayer.

I have considered the material on record.

It is a fact that grounds of arrest have not been communicated
to the petitioner at the time of his arrest in compliance with the
mandate laid down by the Hon'ble Supreme Court in various
authorities.

In view of the above, this Court is inclined to hold that the
rigours of Section 37 of the NDPS Act have been diluted and the
petitioner is entitled to be released on bail.

The petitioner namely Nitesh Kumar 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 should be local, to the satisfaction of the learned Additional Sessions Judge, 1st Court, (NDPS Act) Jalpaiguri subject to condition that he shall remain within the jurisdiction of the learned trial Court and shall furnish the address where he shall presently reside before the learned trial Court, Investigating officer and the Officer in charge of the police station under who jurisdiction he shall henceforth reside. The petitioner shall appear before the learned trial Court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions as stated 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.

CRM (NDPS) 586 of 2025 is thus 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 given to the parties, upon compliance with all requisite formalities.

(Suvra Ghosh, J.)