

February 18, 2026

52 ARDR
Allowed

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

CRM (NDPS) 592 of 2025

In Re : An application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with **Phansidewa**
case no. **440** of **2024** dated **2/11/2024** under Sections **21(c)/25/29**
of the NDPS Act.

And

In Re : **Subhash Kumar**

... Petitioner

Adv. Prajnadeepta Roy,
Adv. Hillol Saha Poddar,
Adv. Mousumi Das,
Adv. Jaimallya Bhattacharya,

... for the Petitioner.

Adv. Nilay Chakraborty,
Adv. Biswarup Roy,

...for the State.

The petitioner is in custody for about a year and prays for bail.

Learned counsel for the petitioner submits that the petitioner
possesses valid drug license and other relevant documents in
support of procurement of the seized articles. He is a registered
dealer in such articles and has been running a valid and genuine
business in respect of the same.

Learned counsel for the State opposes the prayer.

It appears that the documents pertaining to the business of
the petitioner have been found to be genuine upon verification.

In view of the above, this Court is inclined to hold that the
statutory restriction laid down under Sections 37 of the NDPS Act is
not applicable insofar as the petitioner is concerned and he is
entitled to be released on bail.

Accordingly, prayer for bail is allowed.

The petitioner namely Subhash 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, 2nd Court, (NDPS Act) Siliguri subject to condition that he 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) 592 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.)