

20.02.2026
Item No.25
Ct.No.6
b.das
Allowed

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

C.R.M. (NDPS) 625 of 2025

In Re : An application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sahebganj PS Case No. 154 of 2025 dated 21.03.2025 under Sections 20(b)(ii)(c)/ 25 of the NDPS Act.

And

In Re : **Prabhat Chandra Barman**

... Petitioner

Mr. Sandip Guha Roy

Mr. Ananda Paul

Mr. Subham Saha ... for the Petitioner

Mr. Ujjwal Luksom

Mr. Chattu Roy ... for the State.

Heard learned counsels for the parties.

The petitioner prays for bail primarily on the ground of non compliance of Section 42 of the NDPS Act and also as grounds of arrest have not been communicated to him at the time of his arrest.

The said fact has not been disputed.

In the premises, this Court is inclined to hold that the rigours of Section 37 of the NDPS Act is diluted and the petitioner is entitled to be released on bail despite the fact that contraband substance of commercial quantity has been recovered from his possession.

Accordingly prayer for bail is allowed.

The petitioner Prabhat Chandra Barman 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 Sessions Judge, 1st Court (NDPS Act), Cooch Behar subject to condition that he shall reside within the jurisdiction of learned Trial Court. 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 comply with any of the conditions mentioned 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.

The application for bail being CRM (NDPS) 625 of 2025 is disposed of.

Case Diary be returned.

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

(Suvra Ghosh, J.)