

17.03.2026
Item No.10
Court No.7
CHC
(Rejected)

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side

CRM(NDPS) 640 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 CR(NDPS) Case No.48 of 2025 arising out of Phansidewa Police Station Case Number 180 of 2025, dated 23.04.2025 under Sections 20(b)(ii)(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : **Sotto Roy**

..... petitioner

Mr. Saikat Chatterjee, Advocate
Mr. Arijit Ghosh, Advocate
Ms. Purbasha Sarkar, Advocate

...for the petitioner

Mr. Aditi Shankar Chakraborty, Ld. A.P.P.
Dr. Arjun Chowdhury, Advocate

...for the State

1. Petitioner prays for bail.
2. Learned advocate appearing for the petitioner submits that, the petitioner is in custody for 315 days. Petitioner is suffering from severe medical condition of accumulation of water in the lung. Therefore, petitioner should be enlarged on bail.
3. Learned advocate appearing for the State submits that, commercial quantity of narcotics was seized from the joint possession of the petitioner.

4. Petitioner is required to overcome the restrictions under Section 37 of the NDPS Act, 1985.
5. In the facts and circumstances of the present case, petitioner is unable to do so.
6. So far as medical condition is concerned, a medical document of October 2025 is sought to be relied upon to claim that, there is some problem in the lung. Such medical document firstly is of October 2025. The other medical document is dated December 27, 2025 which speaks of chink of pericardial effusion.
7. No doubt, the correctional home at which the petitioner is lodged will take appropriate measures to treat the petitioner.
8. Since the petitioner is unable to overcome the restrictions under Section 37 of the NDPS Act, 1985, I am not minded to grant bail to the petitioner.
9. Prayer for bail of the petitioner stands rejected.
10. **CRM (NDPS) 640 of 2025 is dismissed.**

(Debangsu Basak, J.)

