

16.03.2026
Item No.18
Court No.7
CHC
(Rejected)

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side

CRM(NDPS) 652 of 2025

In Re:- An application for post arrest 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 NDPS Case No. 231 of 2025 arising out of Bhaktinagar Police Station Case Number 322 of 2025, dated 11.04.2025 under Sections 21(c)/22(c)/25/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : **Somnath Bhujel @ Anand**

..... petitioner

Ms. Madhushri Dutta, Advocate

...for the petitioner

Mr. Niloy Chakraborty, Ld. A.P.P.

Mr. Chattu Roy, Advocate

...for the State

1. Petitioner seeks bail.
2. Learned advocate appearing for the petitioner submits that, no recovery was made from the possession of the petitioner.
3. Police filed charge-sheet on September 24, 2025. Therefore, further custody of the petitioner is not required. Moreover, there is no nexus between the petitioner and the commercial quantity of narcotics seized.
4. Learned advocate appearing for the State submits that, the petitioner was the driver of the vehicle. Petitioner fled

from the spot when the raid took place. He submits that, a copy of the permit issued in the name of the petitioner, was found from the vehicle which was carrying the seized commercial quantity of narcotics.

5. It appears from the records that, on the receipt of information, police, conducted a raid on April 10, 2025 whereupon, they seized a vehicle, containing commercial quantity of narcotics. The First Information Report states that, the petitioner fled away from the spot.
6. A permit belonging to the petitioner, was seized from the vehicle concerned.
7. Therefore, the Court is not in a position to arrive at a finding that, there was no nexus between the petitioner and the commercial quantity of narcotics seized. Therefore, petitioner is unable to overcome the restrictions under Section 37 of the NDPS Act, 1985.
8. Prayer for bail is rejected.
9. **CRM (NDPS) 652 of 2025 is dismissed.**

(Debangsu Basak, J.)