

17.03.2026
Serial no. 24
[24]
(Bail Rejected)

***IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI***

CRM(NDPS)/673/2025

In re : An Application for **Bail** under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Phansidewa** Police Station Case No. **11** of **2025** dated **07.01.2025** under Sections **20(b)(ii)(c)/29** of the NDPS Act, 1985.

-And-

**In the matter of : MAFIJUL HAQUE@MOFIJUL
HAQUE@MAFIJUL HOCK**
... ..Petitioner

Mr. Arijit Ghosh, Advocate
... .. For the Petitioner

Mr. Abhijit Sarkar,
Mr. Aniruddha Biswas, Advocates
... ..For the State

1. Period of detention is canvassed a ground for the grant of bail.
2. Petitioner is apparently in custody for 430 days. Charge sheet was submitted on June 13, 2025. Co-accused is still absconding. It is contended that the possibility of the trial commencing any time soon does not exist.
3. State is represented.
4. 78.39 kgs of ganja was seized from the joint possession of the petitioner.
5. Petitioner is unable to overcome the restrictions under Section 37 of the NDPS Act, 1985.
6. So far as the ground under Article 21 of the Constitution of India is concerned, I find that, charge sheet was submitted on June 13, 2025. Period of custody taken in consideration with the gravity of the offence is not such that, the

petitioner should be enlarged on bail on the ground of Article 21 of the Constitution of India.

7. In such circumstances, prayer for bail of the petitioner is **rejected**.
8. CRM(NDPS)/673/2025 is dismissed.

(Debangsu Basak, J.)