

19.02.2026

84

jb.

jdt.

Allowed

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

C.R.M. (NDPS) 685 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with
Mekhliganj Police Station Case No. 45 of 2025 dated 15.02.2025
under Section 21(c) of the Narcotic Drugs and Psychotropic
Substances Act.

And

In Re : Vikram Kundalia

Mr. Biswajit Deb
Mr. Subham Ghosh
Mr. Mayank Roy

... For the Petitioner.

Mr. Aditi Shankar Chakraborty
Mr. Subasish Misra

... For the State

Heard learned counsels for the parties.

It is not in dispute that grounds of arrest were not
communicated to the petitioner at the time of arrest though
narcotic substance of above commercial quantity has been
recovered from the petitioner.

The Hon'ble Supreme Court in various authorities has
mandated communication of grounds of arrest to the petitioner at
the time of his arrest and has further observed infraction of the
same amounts to violation of the rights of the arrestee under
Articles 21/22 of the Constitution of India.

In view of the above, the petitioner is entitled to be released on bail.

Accordingly, the prayer for bail is allowed.

The petitioner namely Vikram Kundalia shall 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 under the NDPS Act, Cooch Behar subject to condition that he shall remain within the jurisdiction of the learned trial Court and shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court. He shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stated hereinabove, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

CRM (NDPS) 685 of 2025 is 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 supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)