CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

26.11.2026
Ct No.5
Item No.28
Chanchal

CRM (NDPS) 737 of 2026

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sahebganj Police Station Case No. 206 of 2026 dated 17.05.2026 under Sections 21 (c)/25/29 of the NDPS Act, 1985

And

In Re: Najrul @ Bhuttu Hoque @ Najrul Haque @ Bhuttu
.....Petitioner

Mr. Sourav Ganguly, Adv.,
Mr. Gopal Roy, Adv.,
Ms. Rishita Chakraborty, Adv.
...for the petitioner

Mr. Avrojyoti Das, ld. A.P.P.
Ms. Ruchika Agarwala, Adv.
...for the State.

1. Considered the rival contentions of the Learned Advocates representing the petitioner as well as the State.
2. The seizure list dated 16.05.2026 at page 9 of the case diary depicts no contraband articles to have been seized from the possession of the present petitioner. The statements recorded under Section 180 of the BNSS revealed the petitioner to have been arrested on the basis of the statement of the co –accused persons and in view of the observation of the Hon'ble Supreme Court in 2022 SCC online SC 47and the Coordinate Bench in **CRM(NDPS) 1327 of 2023**(Jiarul Mondal @ Bhoto @ Jiarul Mandal Vs . State of West Bengal), **CRM(NDPS)1085 of 2023** (Akbar Ali Dewan @ Mondal Vs. State of West Bengal) and **CRM(NDPS) 179 of 2024**(Md. Milon Mondal @ Milan Mondal Vs. State of West Bengal) though the commercial quantity of 94 grams of Yaba Tables to have been seized, the

present petitioner has been able to surmount the rigours of Section 37 of the NDPS Act. Accordingly, the petitioner is entitled to be released on bail.

3. Accordingly, Petitioner, namely, **Najrul @ Bhuttu Hoque @ Najrul Haque @ Bhuttu** shall furnish 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 Learned Additional Sessions Judge, 1st Court under NDPS Act, Cooch Behar.
4. The petitioner shall be physically present on each and every date fixed before the learned Trial Court and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition shall not leave the jurisdiction of the learned Trial Court without prior permission of the same. The petitioner shall submit the address of residence to the learned Trial Court along with the mobile number not to be changed without prior permission of the Trial Court and he will meet the Officer-in-Charge of the concerned Police Station once in a fortnight until further orders.
5. In the event the petitioner fails to appear before the trial Court without justifiable cause, the trial Court shall be at liberty to cancel his bail automatically without reference to this Court.
6. Accordingly, CRM (NDPS) 737 of 2026 is allowed.
7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Ananya Bandyopadhyay, J.)