

**In the Court of Additional District & Sessions Judge, 2nd Court,
- Cum -
Judge, Special Court,
Berhampore, Murshidabad.**

**Present : Sri Karim-ur-Reza
Additional District & Sessions Judge, 2nd Court,
-Cum-
Judge, Special Court,
Berhampore, Murshidabad.
(In-Charge).**

NDPS Case No.:- 20/2025.

Re : Application for bail of the petitioner/accused in connection with Nabagram P.S. Case No. 71/2025, dated 06.02.2025, under Section 20(b)/29 of NDPS Act.

1. Santosh Barman	Petitioner(s)/Accused
	<u>Versus</u>	
State of West Bengal	O.P.

Later, dated:- 16.03.2026.

One bail petition is filed on behalf of the accused/petitioner, namely, Santosh Barman by the Ld. Defence Counsel coupled with an affidavit.

The bail petition is taken up for hearing.

Ld. Special P.P. is present. So does the Ld. Advocate for the petitioners. C.D. is available.

The instant bail application is taken up for hearing.

At the outset, Ld. Advocate for the petitioner/accused person has submitted that the petitioner is innocent and he has been falsely implicated in this case. He has further contended that the petitioner is in Judicial Custody for a considerable period of time. He has also informed this court that the case is fixed for production and evidence. He has also contended that no contraband substance was recovered from the possession of the present petitioner. In this background Ld. Advocate for the petitioner/accused has prayed before this Court to release the accused on bail on any condition put by this Court.

Per Contra, Ld. Special P.P. has vehemently raised objection against the bail application. In support of his contention, he has submitted that the petitioner is involved in the illegal business of contraband substance so seized and there is sufficient allegation against him. He has further contended that in this case commercial quantity of contraband substance in terms of 36.900 Kg of Ganja was recovered and there is specific bar u/S. 37 of the NDPS Act and he prays for custodial trial and not to release the accused persons on bail in such cases.

Heard the rival submissions at the Bar. Considered.

Perused the materials on record.

Having heard the submissions of both the sides and on perusal of the case records and the case diary, it transpires that the allegation against the petitioner is serious in nature. From the case record, it also transpires that in the present case charge has not been framed against the accused persons yet. I also do find that in this case commercial quantity of contraband substance in terms of 36.900 Kg of Ganja was recovered and there is specific bar u/S. 37 of the NDPS Act. I am also of the considered view that if the petitioners are released on bail, there is every chance of tampering with evidence in the instant case.

Considering the facts and circumstances of the instant case and also taking into consideration that there is bar u/s. 37 of the NDPS Act, I am not inclined to allow the instant bail application of the petitioner/accused at this stage and accordingly the prayer for bail of the petitioner is rejected.

The instant bail application is disposed of in the above terms.

Return CD.

To date (30.01.2026).

Dictated & Corrected by
me

Judge, Special Court, NDPS Act,
(In-Charge)

Addl. Dist. & Sess. Judge, 2nd Court
- CUM -
Judge, Special Court, NDPS Act,
Berhampore, Murshidabad.
(In-Charge).