

23.03.2026
Item No.5
Court No.7
CHC
(Rejected)

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side

CRM(NDPS) 14 of 2026

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023; in connection with Kharibari Police Station Case No.302/2025 dated 19.10.2025 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : **Lakhindra Roy**

..... petitioner

Mr. Hillol Saha Podder, Advocate

...for the petitioner

Mr. Saikat Chatterjee, Advocate

Mr. Chattu Roy, Advocate

...for the State

1. Report as called for by the order dated March 17, 2026 filed in Court be taken on record.
2. Learned advocate appearing for the petitioner submits that, no recovery was made from the possession of the petitioner. There is no statement of co-accused implicating the petitioner. He draws the attention of the Court to the First Information Report and submits that, Pulak Das one of the coaccused stated that, the petitioner was there in the car because the petitioner traded in betel nuts.
3. Learned advocate appearing for the State submits that, commercial quantity of contraband was seized from

scooty belonging to a different person. Police on investigation found that, there are Call Details Record between the petitioner and some of the co-accused. He relies upon the Call Details Record in this regard.

4. Initially, one person was arrested with commercial quantity of contraband. Such person is Bapi Sekh. Police conducted investigation. Names of Pulak Das, petitioner and Alok Das came up. Police considered the Call Details Record of these three persons. Police found on investigation that, these three persons were in contact with each other. Presence of the petitioner in the locality is also established by the Call Details Record.
5. Apparently, petitioner is one of the persons who was to receive the contraband.
6. In view of the nexus being shown through the Call Details Record between the petitioner and the co-accused in relation to the commercial quantity of contraband seized, I am not in a position to return a finding that, the petitioner is able to overcome the restrictions under Section 37 of the NDPS Act, 1985.
7. Consequently, prayer for bail of the petitioner is rejected.
8. **CRM (NDPS) 14 of 2026 is dismissed.**

(Debangsu Basak, J.)

