

27.04.2026  
Court No.7  
Item No.38  
pk/AP

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

**CRM(M) 195 of 2025  
The State of West Bengal  
Vs.  
Rajendra Kumar Yadav**

Mr. Joyjit Choudhury, Ld. A.A.G.  
Mr. Subhasish Misra

.... For the Petitioner.

Mr. Moyukh Mukherjee  
Mr. Avrojyoti Das  
Mr. Rajdeep Das  
Mr. Soumadeep Dhar

... For the Opposite Party.

1. This is an application for cancellation of bail granted to the petitioner in N.D.P.S. Case No.16 of 2020 dated 7<sup>th</sup> January, 2022 by the Judge, Special Court under NDPS Act, 2<sup>nd</sup> Court, Jalpaiguri.

2. It appears that both the Public Prosecutor as well as the Investigating Officer had stated before the trial court that the petitioner Rajendra Kumar Yadav had entered into an agreement dated 14<sup>th</sup> November, 2019 with one Ramesh Singh to lease out truck in question. The contraband was seized from the truck. The report signed by the Dhananjoy Majumder, Investigating Officer of the case dated 4<sup>th</sup> January, 2022, however, shows that the person before whom the agreement dated 14<sup>th</sup> November, 2019 was executed had clearly found overwriting thereon which had not initially signed or authorized. The mobile number mentioned of Ramesh Singh

also did not belong to him. It further appears that Ramesh Singh has died a year before the agreement dated 14<sup>th</sup> November, 2021.

3. It further transpires that 22<sup>nd</sup> December, 2021 both the learned Investigating Officer as well as the Public Prosecutor had clearly denied the genuineness of the lease agreement dated 14<sup>th</sup> November, 2019 between the petitioner Rajendra Kumar Yadav and Ramesh Singh.

4. In the backdrop of the above, neither the Investigating Officer nor the Public Prosecutor could have submitted to the Court on 7<sup>th</sup> January 2022 that the agreement dated 14<sup>th</sup> November, 2019 is genuine.

5. This Court is of the view that the Trial Judge, 2<sup>nd</sup> Court at Jalpaiguri was clearly misled to passing the order for bail.

6. Having regard to the above, this Court is of the view that the Judge, Special Court under NDPS Act, 2<sup>nd</sup> Court, Jalpaiguri was misled into passing the order of bail dated 7<sup>th</sup> January, 2022.

7. Therefore, the said bail shall stand cancelled forthwith. The petitioner shall surrender before the Trial Court and be taken into custody.

8. Accordingly, CRM(M) 195 of 2025 is disposed of.

**(Rajasekhar Mantha, J.)**