

21.07.2026
Serial no. 85
[G.S.D]

CRM (NDPS) 1447 of 2026

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with PTN Case No. 1206 of 2025 corresponding to NDPS Case No. 29 of 2026 arising out of Kaliachak PS Case No. 1492 of 2025 dated 25.08.2025 u/s 21(c)/25/27A/29 of the NDPS Act.
-And-

In the matter of : Jenarul Haque

Mr. Arnab Saha
Mr. Abhimanyu Banerjee
Mr. Abdul Nooman

... .. Petitioner(s)

... for the Petitioner(s)

Mr. L. Vishal Kumar

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is in custody for about eight months; charges have been framed and relevant witnesses have been examined. Learned advocate also submits that two of the independent witnesses who were present and signed the seizure list in respect of the contraband who implicated the present petitioner have been declared hostile by the prosecution.

Learned advocate for the State opposes the prayer for bail.

I have taken into account the total seizure in the present case which is more than 2 kg.

However, having considered the period of detention of the present petitioner and the quantum of seizure, I am of the opinion that Section 37 of the NDPS Act is diluted, as such, without entering into the merits of the case, I am inclined to enlarge the petitioner on bail.

Hence, the prayer for bail of the petitioner is **Allowed.**

Accordingly, the petitioner viz, **Jenarul Haque** shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties of Rs.10,000/- (Rupees Ten Thousand only) each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under NDPS Act, 4th Court, Malda.

If on bail, the petitioner shall also make himself physically available on each and every date so fixed by the learned Special court/trial court and shall not leave the district of Malda without prior permission of the learned Special court/trial court.

Accordingly, CRM (NDPS) 1447 of 2026 is **allowed.**

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

