

13.08.2025

akb
Sl. 12
Ct.29
Allowed

CRM (NDPS) No. 787 of 2025

In re: An application for bail under Section 483 of the BNSS Act, 2023 filed in connection with PTN Case No. 184 of 2025 arising out of Kaliachak Police Station Case No. 354 of 2025 dated 05.03.2025 under Section 21(c)/27A/29 of the N.D.P.S. Act, 1985.

And

In re: Sakil Haidar Sk @ Sakil Haider @ Hayder Sk
... petitioner.

Md. Wasim Akram
Ms. Sabrina Parveen

...for the petitioner

Mr. Rudradipta Nandy
Ms. Debjani Sahu

...for the State.

Petitioner submits that nothing was recovered from his possession though he was taken in police custody. He further submits that he is in custody for about 80 days and his name transpired from the co-accused statement though he is neither FIR named nor he has any criminal antecedent. Accordingly, he may be released on bail on any terms and conditions.

Learned Counsel appearing on behalf of the State opposed the bail prayer. However, in his usual fairness he submits that the petitioner's name transpired from the co-accused statement and during investigation, nothing was recovered from his possession. However, he further submits that the investigation is still continuing.

Having heard learned Counsel appearing on behalf of the petitioner and the State and that nothing was recovered from the possession of the petitioner and as such rigour of Section 37 of the NDPS Act may not attract in respect of the present petitioner, the prayer for bail made by the petitioner is allowed.

Accordingly, petitioner namely, **Sakil Haidar Sk @ Sakil Haider**

@ **Hayder Sk** shall be enlarged on bail upon furnishing a bond of Rs. 20,000/- with two registered sureties of Rs. 10,000/- each, one of whom must be local, subject to the satisfaction of learned Chief Judicial Magistrate, Malda and on condition that he will not leave the geographical limit of district Malda without taking permission from the Trial Court and also on condition that he will meet O.C./I.C. Kaliachak Police Station once in a week till further order and also on condition that the accused shall not mis-use the liberty granted by this Court and he shall not tamper with any evidence orally or documentary during the trial. He shall not absent himself on any day during trial and shall not commit any offence while on bail. He shall give his mobile phone number to the local police station and shall not change it without prior permission of the Trial Court and he shall not in any manner try to delay the trial. The Court below will be at liberty to cancel the bail in the event of violation of any of the conditions without making any reference to this Court.

Be it mentioned, that nothing said herein shall be construed as an expression of opinion on the merits of the case.

The application for bail being **CRM (NDPS) 787 of 2025** is, accordingly allowed and disposed of.

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

(Dr. Ajoy Kumar Mukherjee, J.)