

04.12.2025

Sl. No. ML454  
Court No. 35

ALLOWED

Asraf, A.R.(Ct.)

**In the High Court at Calcutta**  
**Criminal Miscellaneous Jurisdiction**  
**Appellate Side**

Case No.

**CRM (NDPS) 903 of 2025**

In Re : An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Kaliachak Police Station case no. 1439 of 2021 dated 27.12.2021 under Sections 21(c) and 29 of the Narcotics Drugs and Psychotropic Substances Act, 1985 read with Section 27A of the Drugs and Cosmetics Act, 1940.

-AND-

*In the matter of :*

**SOMEN MANDAL**

.....Petitioner

*For the Petitioner :*

**Mr. Md. Wasim Akram**  
**Ms. Sabrina Parveen**  
**Ms. Reshmi Khatun**

...Advocates

*For the State :*

**Mr. Rudradipta Nandy, APP**

...Advocate

1. Learned advocate appearing on behalf of the petitioner submits that the petitioner is in custody for about three years and eleven months and delay in trial is not caused by the present petitioner. The subject matter of the case related to recovery of 150 bottles of phensedyl allegedly from the possession of the petitioner. As de novo trial has presently commenced, there is no possibility of the case concluding very soon.

2. Learned advocate for the State opposes the prayer for bail and submits that the delay in trial is because of the absconding accused persons who have not been arrested.
3. Having considered the period of detention of the petitioner, I am of the opinion that further custodial detention is unwarranted at this stage.
4. As such, the petitioner, namely, Somen Mandal shall furnish 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, 4<sup>th</sup> Court, Malda under NDPS Act.
5. If on bail, the petitioner shall be physically present on each and every date before the learned Trial Court in seisin of the case. The petitioner shall not leave the jurisdiction of district of Malda without prior permission of the learned Special Court.
6. Accordingly, **CRM(NDPS) 903 of 2025 is allowed.**
7. Case diary be returned to the learned advocate appearing for the State.
8. All parties shall act on the basis of server copy of this order duly downloaded from the official website of this Court.
9. Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

( Tirthankar Ghosh, J. )