

04.12.2025

Item No. M.L/479

Ct.No.35

dc.

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (NDPS) 1046 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Raninagar Police Station Case No. 87 of 2025 dated 13.02.2025 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Anowar Hossain**

... Petitioner.

Mr. Arnab Chatterjee,
Mr. Avik Ghosh,
Ms. Ankusha Ghosh

... For the Petitioner.

Ms. Faria Hossain, APP,
Mr. Nirupam Dhali

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 9 months and since other accused persons are absconding, there is hardly any chance of the trial being concluded in near future. As such, it has been submitted that the petitioner may be released on bail on any stringent condition.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that 167 bottles of Phensedyl were recovered at the behest of the present petitioner. The prosecution proposes to examine 17 witnesses in order to prove its case. There are materials. As such, according to the State, release of the petitioner may jeopardize the trial.

I have taken into account the submissions of the respective parties and considering the period of detention of the present petitioner, I am inclined to release the petitioner on bail. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Anowar Hossain** shall be released on bail upon furnishing bond of Rs.20,000/-, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Additional District and Sessions Judge, 2nd Court-cum-Special Court under the NDPS Act at Berhampore, Murshidabad.

If on bail, the petitioner shall be physically present on each and every date so fixed by the learned Special Court and shall not leave the jurisdiction of the district of Murshidabad without prior permission of the learned Special Court.

As it has been pointed out by the learned advocate appearing for the State that one of the accused persons is absconding, learned Trial Court is directed to exhaust the process of law so that if required, case can be split up and the trial of the case progressed in consonance with the provisions of law.

The application for bail, being CRM (NDPS) 1046 of 2025, is, thus, disposed of.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Tirthankar Ghosh, J.)