

M/L 488
04.12.2025

C.R.M. (NDPS) 1075 of 2025

Bpg.
Allowed

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure as amended/under Section 483 of the Bharatiya Nagrik Suraksh Sanhita, 2023(BNSS) filed in connection with Kaliachak Police Station Case No.904/2025 dated 28.05.2025 under Sections 21(c)/25/27A/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985;

Jenarul Islam @ Jentu
Versus
The State of West Bengal

Mr. Tapodip Gupta
Mr. Suman Bhanja.
...for the petitioner.

Mr. Bibaswan Bhattacharya
Ms. Srilekha Chattopadhyay.
...for the State.

Ms. Sunita Sarkar.
...for the de facto complainant.

Learned advocate appearing for the petitioner submits that the subject matter of the case involves recovery of 515 grams of brown sugar, however, the petitioner was implicated in connection with the instant case because of statement of the co-accused. Learned advocate submits that the petitioner is innocent of the charges, as such, he may be released on bail as he is in custody for 5 months 28 days.

Learned advocate for the State opposes the prayer for bail but acknowledges that except the statement of the co-accused, there are no other materials available so far as the present petitioner is concerned.

Having considered the materials available against the

present petitioner, I am of the opinion that the petitioner has been able to overcome the rigors of Section 37 of the NDPS Act, as such, the petitioner may be released on bail.

Accordingly, the prayer for bail of the petitioner is allowed. The petitioner namely, Jenarul Islam @ Jentu shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties of Rs.10,000/- each, one of whom must be local to the satisfaction of the learned Judge, Special Court, under NDPS Act-cum-learned Additional Sessions Judge, 3rd Court, Malda. If on bail, the petitioner shall be physically present on each and every date of the trial and shall not leave the jurisdiction of district of Malda without prior permission of the learned special court.

Accordingly, CRM (NDPS) 1075 of 2025 is allowed.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)