

10.12.2025
Court No.35.
M/L. 516.
Kausik
(Allowed)

CRM (NDPS) 1122 of 2025
With
CRAN 1 of 2025

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure, 1973 in connection with Gazole Police
Station Case No. 991 of 2024 dated 05.11.2024 under Section
21(C)/29 of the NDPS Act, 1985;
And

In the matter of : Gobinda Sarkar

.....Petitioner.

Mr. Sandip Chakraborty
Mr. Jagannath Ganguly
Mr. Kaustav Das

.....for the Petitioner.

Mr. Sanjay Banerjee
Mr. Dattatreya Dutta

.....for the State.

Learned advocate appearing for the petitioner submits
that 350 bottles of Phensedyl were recovered from an
agricultural field and the petitioner has been implicated in
connection with the instant case. Petitioner is in custody for 88
days and the investigation of the case is in progress.

It has been brought to the notice of this Court that the
petitioner was being implicated in one after another case and
once he was being granted bail he was shown arrested in
another case.

Learned advocate for the State opposes the prayer for
bail and produces the case diary.

It has also been pointed out on behalf of the petitioner that no videography has been made in respect of the seizure which has been effected.

Learned advocate for the State is not in a position to rebut such contention, although the case diary is available with him.

Having considered the manner in which the seizure has been effected, I am of the view further detention of the petitioner is unwarranted.

Petitioner, namely, **Gobinda Sarkar** 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 Learned Judge, Special Court cum Additional District Judge, 4th Court, Malda.

If on bail, the petitioner shall meet with the Investigating Officer once in a week till the charge sheet is submitted before the learned Special Court. The learned Special Court would impose additional conditions for ensuring his appearance in course of the trial.

Accordingly, CRM (NDPS) 1122 of 2025 is allowed.

There is a connected application which has been preferred. Let the same be dismissed as the prayers advanced thereafter has no relevance considering the merits of the present case.

All parties shall act in terms of server copy of the order 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.)