

10.12.2025
Court No.35
M/L 521
SD

CRM (NDPS) 1129 of 2025

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

In the matter of: Masud Ali

... Petitioner.

Mr. Avinaba Patra

... for the Petitioner.

Mr. Iqbal Kabir

Ms. Ayana Dey

... for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in the custody since 29.01.2025. He has surrendered before the learned Special Court and similarly placed accused persons, namely, Sariful Islam has granted bail on 21.5.2025. It has also been pointed out that the prayer for bail of the present petitioner was rejected on 24.7.2025 in CRM (NDPS)/666/2025 but the fact that similarly placed accused was granted bail, was not brought to the notice of the coordinate Bench which considered the prayer for bail.

Learned advocate for the State, on the other hand, submits that three more witnesses are yet to be examined by the prosecution.

Having considered that similarly placed accused has already been granted bail in the month of May 2025, I am of the view that the petitioner is entitled to get the same privilege. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Masud Ali** 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 ADJ, 4th Court-cum-Special Court under NDPS Act, Malda.

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 Malda without the prior permission of the learned Special Court.

The application for bail, being CRM (NDPS) 1129 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.)