

19.12.2025

Item No.DL41
Court No. 35

ALLOWED

Asraf, A.R.(Ct.)

In the High Court at Calcutta
Criminal Miscellaneous Jurisdiction
Appellate Side

Case No. **CRM (NDPS) 1133 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 Harishchandrapur Police Station case no. 27 of 2024 dated 15.04.2024 under Sections 21(c) and 29 of the Narcotics Drugs and Psychotropic Substances Act, 1985.

-AND-

In the matter of :

SETABUDDIN alias SATABUDDIN

.....Petitioner

For the Petitioner :

Mr. Dhananjoy Banerjee
Ms. Khushi Mollick
Mr. Dikesh Kumar Chauhan

...Advocates

For the State :

Mr. Akash Ganguly

...Advocats

1. Learned advocate appearing on behalf of the petitioner submits that the petitioner was arrested on the accusations of jointly possessing 314 bottles of phensedyl along with other accused and the petitioner is in custody for one year and eight months. Learned advocate for the petitioner further submits that there is no possibility of the trial concluding in near future, as such, the petitioner may be released on bail on any stringent condition.
2. Learned advocate appearing for the State opposes the prayer for bail.

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, Setabuddin @ Satabuddin 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, N.D.P.S. Act-cum- Additional Sessions Judge, 3rd Court, Malda.
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) 1133 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.)