

10.12.2025
ML 528
December 2025
Ct.No.35
Susanta/Sandip
Allowed

IN THE HIGH COURT AT CALCUTTA

CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (NDPS) 1138 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. 239 of 2025 dated 18.02.2025 under Sections 21 (c)/25/27A/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, read with Sections 25(1-B)(a)/29/35 of the Arms Act, 1959.

And

In Re : **Md. Asker Ali @ Askor Ali @ Askar Sk. @ Asgar**

... Petitioner.

Mr. Mrityunjoy Chatterjee,
Mrs. Suchismita Chakraborty,
Mr. Arka Roy

... For the Petitioner.

Mr. Antarikhya Basu,
Ms. Rituparna Saha

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner was implicated in connection with the instant case on the alleged recovery of 159 bottles of cough syrup along with one improvised iron made 7 MM magazine pistol along with 7 ammunitions. Similarly placed accused persons have been granted bail by the learned Trial Court, but the petitioner could not furnish bond, subsequently his order for bail was recalled.

Learned advocate for the State opposes the prayer for bail.

I have taken into account the period of detention of the present petitioner and on assessment of the fact that the

other similarly placed accused persons have been granted bail, I am of the view that same privilege be extended to the petitioner.

Accordingly, the petitioner viz. **Md. Asker Ali @ Askor Ali @ Askar Sk. @ Asgar** 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 Judge, 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 C.R.M. (NDPS) 1138 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.)