

19.12.2025

Item No.DL43
Court No. 35

ALLOWED

Asraf, A.R.(Ct.)

In the High Court at Calcutta
Criminal Miscellaneous Jurisdiction
Appellate Side

Case No. **CRM (NDPS) 1146 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 Berhampore Police Station case no. 39 of 2025 dated 06.01.2025 under Sections 21(C) and 29 of the Narcotics Drugs and Psychotropic Substances Act, 1985.

-AND-

In the matter of :

BILTU GHOSH alias CHATTU & ORS.

.....*Petitioners*

For the Petitioners :

Mr. Arnab Chatterjee
Mr. Avik Ghosh
Ms. Ankusha Ghosh

...*Advocates*

For the State :

Mr. Antarikhya Basu
Mr. Asif Dewan

...*Advocates*

1. Learned advocate appearing on behalf of the petitioners prays for bail of the petitioners on the ground that they have been detained for eleven months on the accusations of recovery of 300 bottles of phensedyl from the joint possession of the petitioners. Learned advocate for the petitioners further submits that there is no possibility of the trial concluding in near future, as such, the petitioners may be released on bail on any stringent condition.
2. Learned advocate appearing for the State opposes the prayer for bail and submits that charges have already been

framed, however, witness action would commence from the next date.

3. Having considered the period of detention of the present petitioners, I am of the opinion that further custodial detention is unwarranted at this stage.
4. As such, the petitioners 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 District & Sessions Judge, 5th Court, Berhampore, Murshidabad.
5. If on bail, the petitioners shall be physically present on each and every date before the learned Trial Court in seisin of the case. The petitioners shall not leave the jurisdiction of district of Murshidabad without prior permission of the learned Special Court.
6. Accordingly, **CRM(NDPS) 1146 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.)