

19.12.2025

Item No.DL47
Court No. 35

ALLOWED

Asraf, A.R.(Ct.)

In the High Court at Calcutta
Criminal Miscellaneous Jurisdiction
Appellate Side

Case No. **CRM (NDPS) 1164 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 Mothabari Police Station case no. 126 of 2025 dated 18.02.2025 under Sections 21(C), 25 and 29 of the Narcotics Drugs and Psychotropic Substances Act, 1985.

-AND-

In the matter of :

MD. AZAD KHAN & ANR.

.....*Petitioners*

For the Petitioners :

Mr. Arup Kumar Bhowmick

...*Advocate*

For the State :

Mr. Antarikhya Basu
Ms. Sana Naaz

...*Advocates*

1. Learned advocate appearing on behalf of the petitioners submits that the petitioners are in custody for ten months and the subject matter of the case relates to recovery of 160 bottles of phensedyl from the possession of the petitioner and others.
2. Learned advocate appearing for the State opposes the prayer for bail.
3. Having considered the period of detention of the 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, 3rd Court, Malda.
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 Malda without prior permission of the learned Special Court.
6. Accordingly, **CRM(NDPS) 1164 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.)