

18.12.2025
Serial no. 693
[G.S.D]

CRM (NDPS) 1357 of 2025

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with **Dalkhola PS Case No. 123 of 2025 dated 23.05.2025 corresponding to Special NDPS Case No. 30 of 2025 u/s 21(c)/29 of the NDPS Act.**

-And-

In the matter of : Sahjan Sarkar

	 Petitioner(s)
Mr. Amitabha Ghosh	
	... for the Petitioner(s)
Mr. Joydeep Roy	
Ms. S. Banerjee	
	... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner has been implicated for alleged recovery of 200 bottles of phensedyl and is in custody since 23rd May, 2025.

Additionally, it has been submitted that charge-sheet has been submitted but till date charge has not been framed, as such, there is no possibility of the trial concluding in the near future, as such, on any stringent condition, the petitioner may be enlarged on bail.

Learned advocate for the State opposes the prayer for bail and submits that on the next date fixed before the learned trial court, date has been fixed for consideration of charges and the prosecution intends to rely upon 16 witnesses in order to prove its case.

It is also contended that the quantum of seizure effected is of commercial quantity, as such, the petitioner should not be released on bail.

I have taken into account the quantum of seizure in the present case as also the period of detention. Having regard to the same, I am of the view that further detention of the petitioner is unwarranted.

Hence, the prayer for bail of the petitioner is **Allowed.**

Accordingly, the petitioner viz, Sahjan Sarkar shall be released on bail upon furnishing 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 (NDPS Act), Raiganj, Uttar Dinajpur.

If on bail, the petitioner shall appear on each and every date of the trial so fixed by the learned trial court and shall not leave the district of Uttar Dinajpur without prior permission of the learned trial court/special court.

Accordingly, CRM(NDPS) 1357 of 2025 is **allowed.**

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

