

18.12.2025

Court No.35.

M/L. 697.

Rakib

(Allowed)

CRM (NDPS) 1363 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Lalgola Police Station case no. 244 of 2025 dated 22.03.2025 under Sections 21(C)/29 of the of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : Rocky @ Md. Samsuzzaman.

.....Petitioner.

Mr. Somnath Adhikary

Ms. Prajna Paramita Mondal

.....for the Petitioner.

Mr. Bitasok Banerjee

Ms. Ritupara Saha

.....for the State.

Learned advocate appearing for the petitioner submits that he is in custody for 97 days and has been implicated only on the basis of statement of co-accused, although, subject matter of the case relates to recovery of 340 grams of heroin from other accused persons. Petitioner prays for bail on any stringent conditions.

Learned advocate for the State opposes the prayer for bail but on query submits that neither any CDR or money trail is available and the petitioner has been implicated on the basis of the statement of the other accused persons.

Having considered the rival contention, I am of the view that rigors of Section 37 of the NDPS are diluted, as such the prayer for bail of the petitioner is allowed.

Accordingly, petitioner namely, **Rocky @ Md. Samsuzzaman** 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 Additional District and Sessions Judge, 2nd Court cum learned Judge, Special Court under the NDPS Act Berhampore, Murshidabad.

If on bail, the petitioner shall be physically present on each and every date so fixed before the learned Special Court and shall not leave the jurisdiction of district of Murshidabad without the prior permission of the learned Special Court.

Accordingly, the application for bail being CRM (NDPS) No. 1363 of 2025 is **allowed**.

All parties shall act in terms of server copy of the order 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.)