

18.11.2025
Serial no. 9
[G.S.D]

CRM (NDPS) 1374 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 **NDPS Case No. 73 of 2022 arising out of Dalkhola Police Station FIR No. 304 of 2022 dated 19.10.2022 under Sections 22(c) of the NDPS Act, 1985.**

-And-

In the matter of : Mamoni Chowdhury & Anr.

... .. Petitioner(s)

Mr. Sayantan Hazra

... for the Petitioner(s)

Mr. Saryati Datta
Ms. Rajnandini Das

... for the State-respondent(s)

A report was called for from the learned Registrar (Judicial Service), High Court, Calcutta.

The report so submitted reflects that the learned Special Court (NDPS Act), Raiganj, Uttar Dinajpur has been lying vacant since 21.09.2025.

Presently, it seems that a proposal would be placed for assignment of Judicial Officer as a Special Judge of the said court. The report subsequently reflects that the said court is lying vacant and would be lying vacant.

Learned advocate for the petitioner submits that the petitioners are in custody for three years and two months. There are seizures. However, during this period, out of the 17 witnesses proposed to be examined, only four witnesses have been examined.

Having considered the period of detention of the petitioners as also the fact that there is hardly any scope of the trial being proceeded towards any logical conclusion, I am inclined to release the petitioners on bail.

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

Accordingly, the petitioner viz, Mamoni Chowdhury & Kamal Chowdhury 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 Special Court (NDPS Act), Raiganj, Uttar Dinajpur.

If on bail, the petitioner no.2 will meet the Inspector-in-charge of Dalkhola Police Station once a week until and unless modified by the learned Special Court *in seisin* of NDPS Case No. 73 of 2022.

Accordingly, CRM(NDPS) 1374 of 2025 is **allowed.**

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

Report submitted be kept with the record.

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.)

