

D/L 49
04.11.2025

Bpg.
Allowed

C.R.M. (NDPS) 1375 of 2025

In Re: An application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with Palashipara
Police Station Case No.350 of 2025 dated 23.07.2025 under Section
21(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985;

Jiyarul Shaikh
Versus
The State of West Bengal

Mr. Soumyajit Das Mahapatra
Mr. Abdul Aziz Mondal.
...for the petitioner.

Mr. Sandip Chakraborty
Ms. Sudeshna Das.
...for the State.

Learned advocate appearing for the petitioner submits that there has been no recovery from the possession of the petitioner although the subject matter of the case involves 324.6 grams of heroin. Learned advocate submits that on the basis of statement of the principal accused from whom recovery has been made, another accused was implicated and the said accused has named the present petitioner, consequent to which the petitioner was arrested. The emphasis of the petitioner is that till date he is in custody for 50 days but there has been no recovery from the petitioner.

On the other hand, learned advocate appearing for the State submits that although there has been no recovery from the possession of the petitioner but the villagers have named the petitioner for having been involved in respect of the offences and the

relationship with the accused.

Be that as it may, as till date no recovery has been effected from the petitioner and the case against the present petitioner is based only on statement of the witnesses under Sections 161 of Cr.P.C./180 of the BNSS, I am of the view that further custodial detention of the petitioner in connection with the instant case is unwarranted.

Accordingly, the prayer for bail of the petitioner is allowed. The petitioner namely, Jiyarul Shaikh shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties of like amount each, one of whom must be local to the satisfaction of the learned Special Court, NDPS Act, Nadia. If on bail, the petitioner shall meet with the investigating officer of the case once in a week till submission of the charge-sheet and will not leave the jurisdiction of the district of Nadia without the permission of the learned special court.

Accordingly, CRM (NDPS) 1375 of 2025 is allowed.

All parties shall act on the server copy of this order duly 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 of all requisite formalities.

(Tirthankar Ghosh, J.)