

06.11.2025
Court No.35.
D/L. 44.
sudipta

CRM (NDPS) 1390 of 2025

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with Malda Town
GRPS Police Station Case No. 27 of 2025 dated 31.03.2025
under Sections 21(c) / 22(c) /29 of the Narcotic Drugs and
Phychotropic Substances Act 1985.

And

**In the matter of : Md. Sahadatul Islam @ Shahadatul Islam @
Sammi**

.....Petitioner

Mr. Md. Wasim Akram
Ms. Sabrina Parveen

.....for the Petitioner.

Ms. Amita Gaur, Sr. Govt. Adv.
Ms. Debolina Das

.....for the State.

Learned advocate appearing for the petitioner submits
that he is in custody for about 147 days and although the
subject matter of the case relates to recovery of 337 grms of
brown sugar and 438 grms of yaba tablets yet there is no
seizure or recovery from the possession of the petitioner.
Additionally it has been submitted that the investigation has
been concluded and chargesheet has already been submitted
before the jurisdictional court.

Learned advocate for the State submits that three
persons have been implicated in connection with the present

case and all three persons are in custody. However, it has been stated on behalf of the State also so far as present petitioner is concerned as there is no recovery from the possession of the petitioner although the call detail record reflects that there was communication between the principal accused and the present petitioner. It has been also brought to the notice to this Court that on 2nd September, 2025 the prayer for bail was refused by the Co-ordinate Bench.

Having considered the overall circumstances including the factum that after the rejection of the prayer for bail by the Co-ordinate bench, the chargesheet has been submitted before the learned Special Court and in view of the fact that there is no recovery from the possession of the present petitioner, I direct the Special Court under NDPS Act, Malda to release the petitioner on bail after the stage of consideration of charges is over.

Accordingly, CRM (NDPS) 1390 of 2025 is disposed of.

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.)