

18.12.2025

Item No.733

Ct.No.35

Naba

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (NDPS) 1479 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 read with Section 439 of the Code of Criminal Procedure, 1973 in connection with Patiram Police Station Case No. 115 of 2025 dated 09.05.2025 under Sections 21(c)/23(c)/27A of the Narcotic Drugs and Psychotropic Substances Act, 1985 (corresponding NDPS Case No.30 of 2025).

And

In Re : **Habibur Rahaman @ Habu Molla**

... Petitioner.

Mr. Kaushik Choudhury

... For the Petitioner.

Mr. Bibhaswan Bhattacharya,
Mr. Bikram Mitra

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 111 days and the investigation of the case has already been concluded and charge sheet has been submitted before the jurisdictional Court. The recovery in the present case was not from the petitioner and has been arrested on the basis of statement of co-accused. The petitioner prays for bail on any stringent condition.

Learned advocate appearing for the State submits that 139 bottles of Phensedyl were recovered from the joint possession of the two other accused persons. However, State is unable to dislodge the argument that there has been any recovery from the present petitioner.

Having considered the locus of the present petitioner, I am inclined to release the petitioner on bail. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Habibur Rahaman @ Habu Molla** shall be released on bail upon furnishing bond of Rs.20,000/-, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Special Judge under the NDPS Act cum Additional Sessions Judge, 3rd Court, Dakshin Dinajpur at Balurghat.

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

The application for bail, being CRM (NDPS) 1479 of 2025, is, thus, disposed of.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)