

28.11.2025
Serial no. 10
[G.S.D]

CRM (NDPS) 1526 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. 106 of 2023 arising out of Baishnabnagar Police Station Case No. 738 of 2023 dated 22.10.2023 u/s 21(c)/25/29 of the NDPS Act.**

-And-

In the matter of : Habib Sk @ Kurban @ Kuran

... .. Petitioner(s)

Mr. Tapodip Gupta
Mr. Suman Bhanja

... for the Petitioner(s)

Mr. Saryati Datta
Ms. Manasi Roy

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is in custody for more than two months and there has been no recovery from the petitioner, although, the subject-matter of the case involves recovery of 200 bottles of phensedyl.

According to the learned advocate, the investigation of the case has been concluded, as such, the petitioner may be released on bail on any stringent condition.

Learned advocate for the State opposes the prayer for bail and submits that all the accused persons fled away and the recovery was from a motor cycle. Consequently, the accused persons are taking advantage of the present scenario.

Be that as it may, having regard to the facts of the case and the fact that there is hardly any possibility of the trial being concluded in the near future, I am inclined to release the petitioner on bail.

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

Accordingly, the petitioner viz, Habib Sk @ Kurban @ Kuran 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 Judge, Special Court (NDPS Act), Additional District Judge, 4th Court, Malda.

If on bail the petitioner shall make himself physically available on each and every date of the trial so fixed by the learned trial court and shall not leave the district of Malda without prior permission of the learned Special Court.

Accordingly, CRM(NDPS) 1526 of 2025 is **allowed.**

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

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.)

