

05.12.2025
Court No.35.
D/L. 84.
Rakib
(Allowed)

CRM (NDPS) 1572 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kaliachak Police Station case no. 868 of 2025 dated 24.05.2025 under Sections 21(C)/25/27A/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : Samsul Sk @ Samsuddin Mia.

.....Petitioner.

Mr. Amitabha Karmakar
Mr. Arup Kr. Bhowmick
.....for the Petitioner.

Mr. Bibhaswan Bhattacharya
Mr. Arup Sarkar
.....for the State.

Learned advocate appearing for the petitioner submits that pursuant to the direction passed by the Hon'ble Supreme Court the petitioner surrendered before the learned Special Court and since then he is in custody for about a month. Some of the other accused persons have been granted bail. However, the anticipatory bail of the present petitioner has been rejected on the ground that there were antecedents of one NDPS Act case and another case of counterfeit currency. It has also been pointed that there has been no recovery from the present petitioner and the present petitioner has been implicated only on the statement of the co-accused.

Learned advocate for the State opposes the prayer for bail after pointing out the antecedents in respect of the petitioner.

I have taken into account the totality of circumstances and the materials appearing, particularly, the petitioner being implicated on the basis of the statement of co-accused and adherence to the orders passed by the Hon'ble Apex Court.

In view of the aforesaid, further detention of the petitioner is unwarranted. Accordingly, the prayer for bail of the petitioner is allowed.

As such petitioner namely, **Samsul Sk @ Samsuddin Mia** shall furnish 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 under NDPS Act cum learned Additional District Judge, 4th Court, Malda.

If on bail, the petitioner shall be physically present on each and every date before the learned trial Court in seisin of the case. The petitioner shall not leave the jurisdiction of district of Malda without the prior permission of the learned Special Court.

Accordingly, CRM (NDPS) No. 1572 of 2025 is **allowed**.

Memorandum of evidence submitted by the State be kept with the record.

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.)