

09.12.2025
Court No.35.
D/L. 20
Rakib
(Allowed)

CRM (NDPS) 1592 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 Khargram Police Station case no. 15 of 2025 dated 17.01.2025 under Sections 20(b)(ii)(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : Sabush Sharma

.....Petitioner.

Mr. Moyukh Mukherjee
Mr. Abhijit Singh
Mr. Anisur Rahman
Mr. Koustav Bhattacharya
.....for the Petitioner.
Mr. Bibaswan Bhattacharya
Ms. Sonali Bhar
.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated in connection with the instant case for alleged recovery of 29 kgs of ganja. It has also been submitted that the petitioner is in custody from 16.01.2025. It is prayed that on any stringent conditions petitioner may be released on bail.

Learned advocate for the State opposes the prayer for bail and submits that the other accused persons being the owner of the vehicle is still absconding.

I have considered the totality of the circumstances of the case wherein the prosecution has relied upon 18 witnesses in order to prove its case and the petitioner is in custody for more than 10 months.

Having considered the same, I am of the opinion that further detention of the petitioner is unwarranted. Accordingly, the prayer for bail of the petitioner is allowed.

As such petitioner namely, **Sabush Sharma** 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 under NDPS Act cum Additional District & Sessions Judge, 2nd Court at Berhampore, Murshidabad.

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

Further, if the learned Special is of the opinion that additional conditions are imposed, it would be the liberty of the learned Special Court to impose such conditions for ensuring the appearance of the present petitioner.

Accordingly, the application for bail being CRM (NDPS) No. 1592 of 2025 is **allowed**.

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.)