

12.12.2025
Serial no. 64
[G.S.D]

CRM (NDPS) 1604 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 **TR (NDPS) Case NO. 11 of 2025 arising out of Shyampur PS Case No. 62 of 2025 dated 01.02.2025 u/s 20(b)(ii)(C) of the NDPS Act, 1985.**

-And-

In the matter of : Hossain Mallick @ Pancha @ Pencha

... .. Petitioner(s)

Md. Wasim Akram
Ms.S. Parveen

... for the Petitioner(s)

Mr. Sandip Chakraborty
Ms. Poulami Bose

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is in custody for ten months and nine days.

The subject-matter of the case relates to recovery of 25.19 kg of *ganja*. The petitioner contends that there is no possibility of the trial concluding in the near future, as such, on any stringent condition, the petitioner may be enlarged on bail.

Learned advocate for the State opposes the prayer for bail and submits that trial has already commenced and the evidence of the p.w.1 is in progress, State intends to rely upon 11 witnesses in order to prove its case.

It is also submitted that the present petitioner has 16 antecedents.

Having considered that the petitioner is in custody for more than 10 months and time will be consumed for

taking the trial to its logical conclusion, I am of the view that further detention of the petitioner is unwarranted.

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

Accordingly, the petitioner viz, Hossain Mallick @ Pancha @ Pencha 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 Special Court under NDPS Act -cum-learned Additional District Judge, 3rd Court, Howrah.

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

However, it is mentioned that this order will not operate as a precedent in those cases, where the petitioner has not been released.

Accordingly, CRM(NDPS) 1604 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.)

