

18.12.2025
Serial no. 16
[G.S.D]

CRM (NDPS) 1662 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 **Jalangi PS Case No. 348 of 2023 dated 20th October, 2023 u/s 20(b)(ii)(c)/29 of the NDPS Act, 1985 relating to NDPS Case No. 113 of 2023.**

-And-

In the matter of : Hachen Biswas @ Hasen Biswas

... .. Petitioner(s)

Mr. Arnab Chatterjee
Mr. A. Ghosh
Ms. A. Ghosh

... for the Petitioner(s)

Mr. Madhusudan Sur, Id. APP
Ms. Pritha Paul

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is in custody for nine months and added that pursuant to the directions of the Hon'ble Supreme Court passed on 11th March, 2025, the petitioner claims that his anticipatory bail was rejected. Subsequent to the directions passed by the Hon'ble Apex Court, he has surrendered and after his surrender on 17th March, 2025, charges have been framed on 29th July, 2025.

However, the subject-matter of the case relates to alleged recovery of 23 kg 236 gm of ganja.

It has also been brought to the notice of this court that earlier prayer for bail of the petitioner was rejected on 1st July, 2025.

Mr. Sur, learned advocate for the State, opposes the prayer for bail and submits that the recovery was from the house of the present petitioner and the same is of commercial quantity, as such, release of the petitioner would jeopardize the trial.

I have taken into account the rival contentions of the parties and having regard to the period of detention of the present petitioner, I am of the view that further detention of the present petitioner is unwarranted.

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

Accordingly, the petitioner viz, Hachen Biswas @ Hasen Biswas 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 Sessions Judge, 5th Court at Berhampore, Murshidabad.

If on bail, the petitioner shall appear on each and every date of the trial so fixed by the learned trial court and shall not leave the district of Murshidabad without prior permission of the learned trial court/special court.

Accordingly, CRM(NDPS) 1662 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.)