

20.01.2026
Court No.35.
D/L.09.
Rakib
(Allowed)

CRM (NDPS) 57 of 2026

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 Sagarpara Police Station case no. 148 of 2025 dated 12.02.2025 under Sections 21(c)/29 of the of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : Hannan Sheikh @ Hannan Sk

.....Petitioner.

Mr. Mritunjoy Chatterjee
Mr. Md. Golam Nure Imrohi
Mr. Partha Pratim Sinha

.....for the Petitioner.

Mr. Subhomoy Bhattacharya
Ms. Debjani Sahu

.....for the State.

Learned advocate appearing for the petitioner submits that petitioner has surrendered after his prayer for anticipatory bail was rejected on 15.11.2025 and is in custody.

Learned advocate for the State submits that there was recovery of 997 bottles of phensedyl being recovered which is the subject matter of the case. The investigation of the case has already been concluded and charge-sheet has been submitted before the jurisdictional Court. Prosecution has relied upon 20 witnesses in connection with the instant case to establish its case. Learned advocate for the State emphasises that there was a communication between the present petitioner and the principal accused from whom majority of the seizures of the cough syrup was made. However, learned advocate submits there are no CDR available in the Case Diary to substantiate such communication at the relevant point of time between the petitioner and the principal accused. It

has been submitted that the CDR was produced at the time of consideration of application for anticipatory bail of the present petitioner but the same was subsequently not relied upon by the investigating agency.

Be that as it may, since there is no recovery from the present petitioner even after he was taken into custody, I am of the view that further detention of the petitioner is un-called for. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, petitioner namely, **Hannan Sheikh @ Hannan Sk** 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 and Sessions Judge, 5th Court, Berhampore, Murshidabad.

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

Accordingly, the application for bail being CRM (NDPS) No. 57 of 2026 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.)