

20.01.2026

Court No.35.

D/L. 45.

Kausik

(Allowed)

CRM (NDPS) 94 of 2026

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure, 1973 in connection with Hili Police Station
Case No. 98 of 2025 dated 06.05.2025 under Sections
20(b)(ii)(A)/21(c)/22(c)/23(c)/27(A)/28 of the NDPS Act, 1985.

And

In the matter of : Binay Mahata

.....Petitioner.

Mr. Kaushik Choudhury
Mr. Sabyasachi Hazra

.....for the Petitioner.

Mr. Sanjay Banerjee
Mr. Rajashree Tah

.....for the State.

Learned advocate appearing for the petitioner submits
that on an alleged recovery of 75 bottles of Phensedyl petitioner
was taken into custody on or about 06.05.2025 and since then
he has been detained. Additionally, it has been submitted that
charge sheet has been submitted, charges have been framed
and witness action is to commence on the next date.

Learned advocate for the State opposes the prayer for
bail and submits that the petitioner is the principal accused
and there are other three accused persons also. However,
having regard to the detention of the petitioner for more than 8
and a half months and the fact that charge has already been

framed, I am of the view further detention of the petitioner is unwarranted.

As such, the prayer for bail of the petitioner is allowed.

Petitioner, namely, **Binay Mahata** 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 Learned Special Judge (under NDPS Act) cum-Additional Sessions Judge, 3rd Court, Dakshin Dinajpur at Balurghat.

If on bail petitioner shall be physically present on each and every date fixed by the learned Trial Court and shall not leave the District of Dakshin Dinajpur without the prior permission of the learned Special Court.

Accordingly, CRM (NDPS) 94 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.)