

28.01.2026
Court No.35.
D/L.26.
Rakib
(Allowed)

CRM (NDPS) 152 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. 14 of 2024 dated 13.01.2024 under Sections 21(C)/29 of the of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : Palash Roy.

.....Petitioner.

Mr. Arnab Chatterjee
Mr. Avik Ghosh
Ms. Ankusha Ghosh

.....for the Petitioner.

Mr. Ranadeb Sengputa
Mr. Shashanka Sekhar Saha

.....for the State.

Learned advocate appearing for the petitioner submits that pursuant to the order passed on 19.11.2025 in CRM (NDPS) 1458 of 2025 the seizure witnesses have been examined. However, the learned trial Court even after such examination has rejected the prayer for bail.

Learned advocate for the State opposes the prayer for bail and submits that interception in this case was by the BSF Official and the re-seizure was by the police authorities concerned. As such seizure list witnesses in the present case are hardly having any contribution. The complainant is yet to be examined, as such the petitioner's custodial examination is warranted.

I have taken into account the materials appearing in the Case Diary and I find that the persons who have been intercepted at the spot by the BSF Official is one Ujjal Sarkar. The said Ujjal

Sarkar has been granted bail and is enjoying his personal liberty. So far as the present petitioner is concerned he has surrendered and is in custody for three months.

Having regard to the fact that the materials which are appearing against the present petitioner are subject to evidence of other witnesses which will consume substantial time and there has been no recovery from the present petitioner, I am inclined to release the petitioner on bail. Accordingly, the prayer for bail of the petitioner is **allowed**.

As such, petitioner namely, **Palash Roy** 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 learned 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. 152 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.)