

11.02.2026

Court No.35.

D/L. 189.

Kausik

(Allowed)

CRM (NDPS) 238 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 Raghunathganj
Police Station Case No. 374 of 2025 dated 27th March, 2025
under section 21(C)/29 of the NDPS Act, 1985.

And

In the matter of : Achinta Sarkar

.....Petitioner.

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

.....for the Petitioner.

Mr. Rudradipta Nandy, Ld. APP
Ms. Suchismita Dutta

.....for the State.

Learned advocate appearing for the petitioner submits
although there was alleged recovery of 303 Gms. of Heroin from
the possession of the petitioner but the evidence of the
independent seizure list witnesses have been completed.

To that effect, attention of the Court has been draw.
Both the witnesses have deposed that they have no knowledge
regarding the facts and circumstances of the case. Having
considered the same, I am of the view that the rigors of Section
37 of the NDPS Act has been diluted, as such inspite of
objection raised by the State, I am inclined to release the
petitioner on bail.

Accordingly, the prayer for bail of the petitioner is allowed.

Petitioner, namely, **Achinta Sarkar** 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 Judge, Special Court under NDPS Act cum Learned Additional Sessions Judge, 5th Court, Berhampore, Murshidabad.

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

Accordingly, CRM (NDPS) 238 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.)