

**25.02.2026**  
Court No.35.  
D/L.63  
Rakib  
**(Allowed)**

**CRM (NDPS) 329 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 Kaliachak Police Station case no. 1355 of 2024 dated 30.08.2024 under Sections 21(c)/25/29/27A of the of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

**In the matter of : Md. Hajrat Nadab @ Md. Hazrat Ali Nadab.**

**.....Petitioner.**

Mr. Amitabha Karmakar  
Mr. Arup Kumar Bhowmick

.....for the Petitioner.

Mr. Joydeep Roy  
Mr. Nirupam Dhali

.....for the State.

Learned advocate for the petitioner submits that there was recovery of 1332 bottles of phensedyl from the orchard of one Jayanta Chowdhury. Petitioner has been implicated as a sole accused in the case and is in custody for 91 days.

Learned advocate for the State opposes the prayer for bail and submits that anticipatory bail of the petitioner was rejected. Petitioner's tower location was the indicative factor regarding the possession of such contraband. Learned advocate for the State produces the Case Diary and submits that the police authorities will work out on issues so far as the converting the CDR into legally admissible evidence.

Presently, I find that the charge-sheet do not contain any witness from office of service provider or any nodal officer. Having considered the same and the fact that charge-sheet has been

submitted, I am of the view that further detention of the petitioner is unwarranted. As such the prayer for bail of the petitioner is **allowed.**

Accordingly, petitioner namely, **Md. Hajrat Nadab @ Md. Hazrat Ali Nadab** 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 Judge, 4<sup>th</sup> Court, Malda.

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 Malda without prior permission of the learned Special Court.

Accordingly, the prayer for bail in CRM (NDPS) 329 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.)**