

24.02.2026

Item No.30

Ct.No.35

dc.

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (NDPS) 317 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Samsheganj Police Station Case No. 803 of 2025 dated 08.08.2025 under Sections 20(b)(ii)(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Uttam Halder**

... Petitioner.

Ms. Shabana Hasin,
Ms. Samima Akter

... For the Petitioner.

Mr. Avishek Sinha,
Ms. Rituparna Saha

... For the State.

Learned advocate appearing for the petitioner, at the inception, submits that petitioner earlier preferred CRM(NDPS) 1655 of 2025, but the same was not pressed by the present petitioner on 17.12.2025 and as such, the petitioner renews his prayer for bail.

Learned advocate for the petitioner submits that the subject-matter of the case involves 41.950 kgs. of ganja having been recovered from the possession of other accused persons. Petitioner has been implicated on the basis of statement of the co-accused and is in custody for 151 days.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that immediately prior to the date of seizure, there were

communications between the present petitioner and the principal accused from whom seizure has been effected.

Records reflect that six calls were exchanged between the petitioner and the principal accused. List which has been placed shows numerous calls out of which six calls have been earmarked by the investigating agency. There is no antecedent of the present petitioner. There was no further recovery after the petitioner was arrested. Having considered the same, I am of the view that there is some dilution so far as the rigors of Section 37 of the NDPS Act is concerned. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Uttam Halder** shall be released on bail upon furnishing bond of Rs.20,000/-, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under the NDPS Act-cum-Additional District Judge, 5th Court, Berhampore, Murshidabad.

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

The application for bail, being CRM (NDPS) 317 of 2026, is, thus, disposed of.

All concerned parties shall act on the server copy of this order duly 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.)