

26.02.2026

Item No.62

Ct.No.35

dc.

Allowed

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (NDPS) 351 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Gangarampur Police Station Case No. 615 of 2024 dated 19.11.2024 under Sections 21(c)/22(c)/23(c)/25/27A/28/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Saddam Hossain**

... Petitioner.

Mr. Ayan Bhattacharjee, Sr. Adv.,
Mr. Kaushik Choudhury

... For the Petitioner.

Mr. Madhusudan Sur, APP,
Mr. Anindya Sundar Chatterjee

... For the State.

Learned senior advocate appearing for the petitioner submits that the petitioner was arrested earlier in connection with Gangarampur P.S. Case No. 143 of 2025 dated 08.05.2025 as also in connection with Patiram P.S. Case No. 103 of 2025 dated 03.05.2025. In both the cases, the petitioner was arrested on the basis of statement of co-accused.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that there is another case being Gangarampur P.S. Case No. 217 of 2024 dated 06.05.2024. Learned advocate has shown photostat copy of the order-sheet of the learned Special Court which reflects that petitioner is on court bail in connection with the said case. So far as the present case is concerned, there were

recoveries which were made on 19.11.2024. The same is beside the house of petitioner and another accused of the present case. Petitioner was shown arrested in connection with the instant case on 06.08.2025 when he was in custody in connection with Gangarampur P.S. Case No. 143 of 2025 and Patiram P.S. Case No. 103 of 2025. Learned advocate for the State submits that petitioner has antecedent which adds to the complicity of the present case also.

I have taken into account the totality of the circumstances including the factum that after ten months of seizure, petitioner was shown arrested in connection with the instant case when he was in custody in connection with other cases. Having regard to the period of time which has expired in the meantime and the petitioner having been shown arrested after three months from his arrest in other two cases, I am of the view that there are issues which dilute the rigors of Section 37 of the NDPS Act. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Saddam Hossain** 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, 3rd Court, Balurghat, Dakshin Dinajpur.

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 Dakshin

Dinajpur without prior permission of the learned Special Court.

The application for bail, being CRM (NDPS) 351 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.)