

CRM (NDPS) 363 of 2026

In the matter of : An application for bail under section 483 of BNSS, 2023 filed in connection with Gangarampur P.S. Case No. 520 of 2025 dated 01.08.2025 under sections 21(C)/22(C))/23(C)/27A/28/29 of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of : Habibur Rahaman @ Habu

Mr. Kaushik Chowdhury
Mr. D. Panda

... ... for the petitioner

Mr. Rudradipta Nandi, APP
Mr. Mirza Firoj Ahmed Begg

... ... for the State

Learned advocate appearing for the petitioner submits that the subject matter of the case relates to alleged recovery of 100 bottles of phensedyl. However, the petitioner has been arrested on the basis of statements of co-accused persons and there is no recovery from the present petitioner. There are 22 witnesses on whom the prosecution has relied on and the charge-sheet has already been submitted and there is no possibility of trial being concluded in near future.

Learned advocate appearing for the State opposes the prayer for bail and submits that there are antecedents of the present petitioner and evidence is there which would reveal from the CDR available.

I have taken into account the quantum of seizure in the present case and the fact that the petitioner is in custody for

three months. Having considered that there is no recovery from the present petitioner, I am of the view further detention of the petitioner is unwarranted.

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

The petitioner shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties of Rs.10,000/- each, one of whom must be local to the satisfaction of the learned Judge, Special Court under NDPS Act cum Additional District Judge, Dakshin Dinajpur at Balurghat. If on bail, the petitioner shall be physically present on each and every date fixed before the learned trial court and shall not leave the district of Dakshin Dinajpur without the prior permission of the learned Special Court.

Accordingly, CRM(NDPS) 363 of 2026 is allowed.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)