

07.04.2026
Serial no. 478
[G.S.D]

CRM (NDPS) 388 of 2026

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with NDPS Case No. 118 of 2025 arising out of Samsherganj Police Station Case No. 727 of 2025 dated 09.07.2025 u/s 21(c)/29 of the NDPS Act, 1985.

-And-

In the matter of : Habibulla Sk @ Habibullah Sk @ Habu
... .. Petitioner(s)

Mr. SomnathADhikary

... for the Petitioner(s)

Mr. Arijit Ganguly
Mr. Sufi Kamal

... for the State-respondent(s)

Learned advocate for the petitioner submits that the subject-matter of the case relates to alleged recovery of 400 bottles of phensedyl. According to the learned advocate, the petitioner is in custody for about nine months and charges have also been framed by the learned Special Court, as such, he prays that the petitioner may be enlarged on bail.

Learned advocate for the State, on the other hand, opposes the prayer for bail and submits that the prosecution has relied upon 9 witnesses in support of its case.

Having regard to the fact that there is no possibility of the trial being concluded in the near future, I am of the view that further detention of the present petitioner is unwarranted.

Hence, the prayer for bail of the petitioner is
Allowed.

Accordingly, the petitioner viz, **Habibulla Sk @ Habibullah Sk @ Habu** 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-Additional Sessions Judge, 5th Court, Berhampore, Murshidabad.

If on bail, the petitioner shall also make himself physically available on each and every date so fixed by the learned Special court and shall not leave the district of Murshidabad without prior intimation to the learned Special Court.

Accordingly, CRM (NDPS) 388 of 2026 is **allowed**.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

