

27.03.2026

Item No.512

Ct.No.35

dc.

Allowed

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

C.R.M. (NDPS) 444 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. 592 of 2023 dated 23.12.2023 under Sections 21(c)/22(c)/23(c)/27A/28/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Akibur Miah @ Aquibur Miya**

... Petitioner.

Mr. Kaushik Choudhury

... For the Petitioner.

Mr. Arijit Ganguly,
Mr. Rajesh Jana

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for more than eight months and the prosecution case is based on alleged recovery of 293 bottles of phensedyl and 20 bottles of MK Dyl syrup from another accused and the present petitioner has been implicated on the basis of statement of co-accused. There has been no recovery from the possession of the present petitioner.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that the petitioner was initially absconding for a considerable period of time. It has been submitted that the present petitioner is similarly situated as another accused person who has been granted bail on 03.02.2026 in CRM (NDPS) 176 of 2026.

Learned advocate for the State is unable to rebut such contention of the petitioner. Having considered the same, I am inclined to release the petitioner on bail. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Akibur Miah @ Aquibur Miya** 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, Dakshin Dinajpur at Balurghat.

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) 444 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.)