

24.03.2026

Court No.35.

D/L. 39.

Kausik

(Allowed)

CRM (NDPS) 429 of 2026

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure, 1973 in connection with Hili Police Station
Case No. 130 of 2025 dated 22.06.2025 under Sections
21(c)/22(c)/23(c)/27A/28 of the NDPS Act, 1985 read with
section 27a/27(b)(ii)/27A of the Drugs and Cosmetics Act.

And

In the matter of : Subha Sarkar @ Puchu

.....Petitioner.

Mr. Kaushik Choudhury

Mr. Dwipayan Panda

.....for the Petitioner.

Mr. Sanjoy Bardhan

Ms. Rita Datta

.....for the State.

Learned advocate appearing for the petitioner submits
that petitioner has been arrested on the basis of alleged
recovery of 120 bottles of Wincerex Cough Syrup.

Petitioner is in custody for 9 months and although,
charge sheet has been submitted but as other accused persons
are absconding, harsher process of law has been issued against
them and date has been fixed for execution return.

Learned advocate for the State opposes the prayer for
bail and submits that there are Call Data Records which would
reflect communication between the petitioner and the
absconding accused.

I have taken into account the submissions of the respective parties as also the fact that the charge sheet refers to 18 witnesses. Having considered that there is no possibility of the trial being completed in near future, I am inclined to release the petitioner on bail.

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

Accordingly, Petitioner, namely, **Subha Sarkar @ Puchu** shall furnish 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 Learned Special Judge (under NDPS Act) cum Additional District Judge, 3rd Court, Dakshin Dinajpur at Balurghat.

If on bail petitioner shall be physically present on each and every date fixed by the learned Trial Court and shall not leave the jurisdiction of District of Dakshin Dinajpur without the prior permission of the learned Special Court.

Accordingly, CRM (NDPS) 429 of 2026 is **allowed**.

All parties shall act in terms of server copy of the order 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.)