

31.03.2026

Court No.35.

D/L. 432.

Kausik

(Rejected)

CRM (NDPS) 450 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 Kaliachak Police
Station Case No. 1401/2025 dated 10.08.2025 under Section
21(C)/27A/29 of the NDPS Act.

And

In the matter of : Samad Sk.

.....Petitioner.

Mr. Anibrata Karmakar
Mr. Arup Kumar Bhowmick

.....for the Petitioner.

Mr. Bitasok Banerjee
Mr. Santanu Talukdar

.....for the State.

Learned advocate appearing for the petitioner submits
that the alleged recovery in the present case from the joint
possession of the petitioner and others is to the tune of 1539
Gms. of Brown Sugar. Learned advocate intends to rely upon
the State Forensic Science Laboratory report which reflects
Diacetylmorphine (Heroin), 6-Monoacetylmorphine & Morphine
which are covered under the NDPS Act being the subject matter
of the test results. Reference has been made to CRM (NDPS)
570 of 2026.

Learned advocate for the State opposes the prayer for
bail.

I have taken into account the seizure of 306 Gms. of Brown Sugar in CRM (NDPS) 570 of 2026. In cases of contraband/Brown Sugar/Heroin seized in and around 500 Gms. to 600 Gms. there may be dispute regarding the division or quantification of each of the contraband. However, the present case is one where 1539 Gms. of Brown Sugar has been seized. As such, the quantification will hardly have any effect considering the ceiling limit prescribed in the schedule for commercial quantity.

Accordingly, the prayer for bail of the petitioner, at this stage, is dismissed.

Petitioner would be at liberty to approach this Court after the evidence of the seizure list witnesses are over.

Accordingly, CRM (NDPS) 450 of 2026 is **dismissed**.

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.)