

02.04.2026

Item No.37

Ct.No.35

dc.

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (NDPS) 507 of 2026

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with English Bazar Police Station Case No. 1766 of 2025 dated 13.08.2025 under Sections 21(c)/27A/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Jamiul Hoque**

... Petitioner.

Mr. Ayan Bhattacharjee, Sr. Adv.,
Mr. Shounak Mondal

... For the Petitioner.

Mr. Joydeep Roy,
Mr. Md. Yaser A. Ismail

... For the State.

Learned senior advocate appearing for the petitioner submits that the petitioner is in custody for about 7 months 20 days; charge-sheet has already been submitted and the subject-matter of the case relates to alleged recovery of 500 grams of brown sugar.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that prosecution has relied upon eight witnesses in order to prove its case.

I have taken into account the materials appearing in the case diary as well as the chemical examiner's report which reflects that contraband seized contains Diacetylmorphine (Heroin) & 6-Monoacetylmorphine.

Since two contrabands have been reflected in the chemical examiner's report and the quantification is not available pursuant to the decision of the Hon'ble Supreme Court in *Sentu Seikh Vs. State of West Bengal* arising out of SLP (Crl.) No. 13987/2025, I am inclined to release the petitioner on bail considering the period of detention. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Jamiul Hoque** 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 3rd Court under the NDPS Act, Malda.

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 Malda without prior permission of the learned Special Court.

The application for bail, being CRM (NDPS) 507 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.)