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02.04.2026
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Allowed

C.R.M. (NDPS) 529 of 2026

In Re: An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Baranagar Police Station Case No.328 of 2023 dated 21.05.2023 under Sections 21(C)/25/27A/29 of the Narcotic Drugs and Psychotropic Substances Act;

Sanjoy Dhar alias Sanjay Dhar
Versus
The State of West Bengal

Mr. Angshuman Chakraborty
Mr. Samarjit Mahapatra
Mr. Shashanka Shekhar Saha.
...for the petitioner.

Mr. Sanjay Banerjee
Ms. Afreen Begum.
...for the State.

The subject matter of the case relates to alleged recovery of 6,000 bottles of phensedyl. In Special Leave to Appeal (Crl.) No.17124 of 2024 the Hon'ble Supreme Court was pleased to direct that in the event the trial is not concluded, liberty is reserved to the petitioner to move for bail before the concerned special court. Such order was passed on 03.02.2025 and communicated to the learned trial court on 20th February, 2025.

A report has been submitted by the learned advocate for the State which is based on information of the learned special p.p-in-charge of the said court which reflects that in spite of informing the special court it has been replied by the learned special court that as POCSO cases have been fixed, the court is unable to

proceed with the present case.

State has also submitted a status report which reflects that five witnesses till date has been examined out of 16 witnesses.

Petitioner is in custody for more than 2 years 10 months. Even the order of the Hon'ble Supreme Court could not yield any result before the learned trial court, consequently, I am of the opinion that for examination of another 11 witnesses substantial time will be consumed by the prosecution, as such, without entering into the merits of the case and only considering on the point of detention, I am inclined to release the petitioner on bail.

Accordingly, the prayer for bail of the petitioner is allowed. The petitioner, namely, Sanjoy Dhar alias Sanjay Dhar shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties of Rs.10,000/- each, one of whom must be local to the satisfaction of the learned Judge, Special Court, under NDPS Act, Barrackpore, North 24 Parganas. If on bail, the petitioner shall be physically present on each and every date fixed by the learned special court and shall not leave the districts of Kolkata and North 24 Parganas without prior permission of the learned special court. Additionally, petitioner shall once in a week attend the Cossipore Police Station. The Officer-in-Charge of the said police station will depute a police personnel for obtaining an acknowledgement. If there are any violations of the conditions, the Officer-in-Charge will submit a report before the learned special court. Learned special court will entitle to cancel the bail without further reference to this Court.

Accordingly, CRM(NDPS) 529 of 2026 is allowed.

Both the reports submitted by the State be kept with the record.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)