

02.04.2026
Court No.35.
D/L.66.
Rakib
(Allowed)

CRM (NDPS) 540 of 2026

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Malda Police Station case no. 785 of 2025 dated 09.11.2025 under Sections 20(c)/22(c)/23(c)/27A of the Narcotic Drugs Psychotropic Substances Act, 1985.

And

In the matter of : Subhankar Ghosh @ Subho Ghosh.

.....Petitioner.

Mr. Shounak Mondal

.....for the Petitioner.

Mr. Soumik Ganguly
Ms. Pallavi Priyadarshee

.....for the State.

Learned advocate appearing for the petitioner submits that petitioner is in custody for more than four and half months and the subject matter of the case relates to allege recovery of 26 bottles of cough syrup, and petitioner has been implicated only on the basis of the statement of the co-accused and there is no seizure from the possession of the petitioner.

Learned advocate for the State opposes the prayer for bail and submits that there is a similar antecedent of the present petitioner, the same is refuted by the petitioner on the ground that the petitioner was granted bail in the said case.

Having considered the materials appearing against the petitioner and the fact that petitioner is in custody for more than four and half months, I am of the view that the similarly placed accused person being granted bail in CRM (NDPS) 289 of 2026, the same

benefit be extended to the present petitioner. As such prayer for bail of the petitioner is **allowed**.

Accordingly, petitioner namely, **Subhankar Ghosh @ Subho Ghosh** shall be released on bail upon furnishing 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 the learned Judge, Special Court under NDPS Act cum Learned Additional District and Sessions Judge, 3rd Court, Malda.

If on bail, the petitioner shall be physically present before the learned Special Court on each and every date and shall not leave the jurisdiction of District of Malda without the prior permission of the learned Special Court.

Accordingly, CRM (NDPS) 540 of 2026 is **allowed**.

Report submitted by the State be kept with the record.

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.)