

02.04.2026
Serial no. 77
[G.S.D]

CRM (NDPS) 551 of 2026

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with NDPS Case No. 78 of 2025 arising out of Kaliachak Police Station Case No. 1142 of 2025 dated 23.06.2025 u/s 21(c)/25/27A/29 of the NDPS Act.

-And-

In the matter of : Bishu Sk @ Bishu Miyan

... .. Petitioner(s)

Mr. Md. Wasim Akram
Ms. S. Parveen

... for the Petitioner(s)

Mr. Bibaswan Bhattacharyya
Mr. Debarshi Brahma

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is in custody for eight months and he has been implicated in the present case only on the basis of statement of a co-accused.

The subject-matter of the present case relates to alleged recovery of 606 gm of brown sugar.

Learned advocate for the State opposes the prayer for bail and submits that further investigation is in progress; there are criminal antecedents of the present petitioner as also the Call Data Records connecting the present petitioner with the principal accused.

The petitioner is in custody for eight months and there has been no recovery from the present petitioner except the Call Date Records. Further, no materials appeared against the present petitioner.

Having regard to the period of detention and the fact that there is no possibility of the trial being concluded in the near future as the prosecution has relied upon eight witnesses and the petitioner is in custody for eight months, I am of the view that further detention of the present petitioner is unwarranted.

Hence, the prayer for bail of the petitioner is **Allowed.**

Accordingly, the petitioner viz, **Bishu Sk @ Bishu Miyan** 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- Additional District Judge, 4th Court, Malda

If on bail, the petitioner shall also make himself physically available on each and every date so fixed by the learned Special court and shall not leave the district of Malda without prior intimation to the learned Special court.

Accordingly, CRM (NDPS) 551 of 2026 is **allowed.**

Report submitted be kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)

