

02.04.2026

Court No.35.

D/L. 85.

Kausik

(Allowed)

CRM (NDPS) 559 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. 904 of 2025 dated 28.05.2025 under section
21(C)/25/27A/29 of the NDPS Act, 1985.

And

In the matter of : Rubel Hoque

.....Petitioner.

Mr. Santanu Deb Roy

.....for the Petitioner.

Mr. Subhamoy Bhattacharyya

Mr. Parvej Anam

.....for the State.

Learned advocate appearing for the petitioner submits
that the petitioner is in custody for more than 300 days and
the accusations against the petitioner is for alleged recovery of
515 Gms. of Brown Sugar.

Learned advocate for the State opposes the prayer for
bail and produces the case diary.

I have taken into account the Chemical Examiner's
Report which reflects Diacetylmorphine, 6-Monoacetylmorphine
and Acetylcodein.

Having considered the judgment/order of the Hon'ble
Supreme Court in ***Sentu Seikh vs. State of West Bengal (SLP***
(Crl.) No. 13987/2025) wherein the Hon'ble Apex Court was

pleased to grant bail as there was no quantification in respect of the 3 contrabands which have been referred to in the Chemical Examiner's Report and which are covered under the NDPS Act, I am of the view that the same benefit be extended to the petitioner.

Accordingly, the prayer for bail of the petitioner is allowed.

Accordingly, Petitioner, namely, **Rubel Hoque** shall furnish 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 Learned Judge, Special Court, 3rd Court Malda.

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

Accordingly, CRM (NDPS) 559 of 2026 is **allowed**.

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.)