

09.04.2026

Court No.35.

D/L. 183.

Kausik

(Allowed)

CRM (NDPS) 577 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 Baishnabnagar
Police Station Case No. 1052 of 2025 dated August 15, 2025
under Sections 21(c)/27A/29 of the NDPS Act, 1985.

And

In the matter of : Enamul Sk @ Enamul @ Ebrahim Sk.

.....Petitioner.

Mr. Ayan Bhattacharjee, Sr. Adv.

Mr. Shounak Mondal

Mr. Suman Majumder

.....for the Petitioner.

Mr. Madhusudan Sur, Ld. APP

Ms. Ratna Ghosh

.....for the State.

Learned advocate appearing for the petitioner submits
that initially there was recovery of 280 Gms. of Brown Sugar
from two accused persons and thereafter 144 Gms. of Brown
Sugar was recovered on the leading statement of the present
petitioner along with the other two accused persons who are in
custody. There was telephonic communications between the
accused persons. Petitioner is in custody for more than 7 and a
half months.

Learned advocate for the State opposes the prayer for
bail and submits that commercial quantity of contraband has
been seized.

I have taken into account the materials appearing in the case diary and as is reflected from the report of the State Forensic Science Laboratory that the contraband seized are Diacetylmorphine (Heroin), 6-Monoacetylmorphine, both covered under the NDPS Act and there is no quantification of the same, I am of the view that the order of the Hon'ble Supreme Court in ***Sentu Seikh vs. State of West Bengal (SLP (Crl.) No. 13987/2025)*** is applicable to the present case.

Having regard to the period of detention as well as the observations of the Hon'ble Apex Court, I am inclined to release the petitioner on bail.

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

Accordingly, Petitioner, namely, **Enamul Sk @ Enamul @ Ebrahim Sk.** 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 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) 577 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.)