

17.06.2026
Serial no. 23
[G.S.D]

CRM (NDPS) 613 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 Kaliachak PS 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 : Sanaul Hoque @ Senaul

... .. Petitioner(s)

Mr. Arup Kumar Bhowmick

... for the Petitioner(s)

Mr. Somnath Adhikary

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is in custody since 23.06.2025; the investigation has been completed and charge-sheet has already been submitted before the learned jurisdictional court. Learned advocate also submits that the prosecution has relied upon eight witnesses in order to prove its case, as such, there is no possibility of the trial being concluded very soon. Therefore, learned advocate prays that the petitioner may be released on bail.

Mr. Somnath Adhikary, learned advocate, appears for the State as per the direction of this Court. His appointment may be regularized by the concerned authority.

Learned advocate for the State, on the other hand, opposes the prayer for bail and submits that the recovery in the present case is 606 gm of contraband.

I have taken into account the submissions of learned advocates for the State as well as learned advocate for the petitioner. The chemical examiner's report reflects presence of Diacetylmorphine (Heroin), 6-Monoacetylmorphine and Acetylcodeine. However, the same has not been quantified.

Having considered the proposition laid down in [Sentu Seikh v. State of West Bengal [SLP (Crl.) No. 13987 of 2025], and the fact that each of the contraband mentioned in the chemical examiner's report, according to the schedule, reflects that the threshold for commercial quantity is 250 gm, I am inclined to enlarge the petitioner on bail.

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

Accordingly, the petitioner viz, **Sanaul Hoque @ Senaul** 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 Special Court (NDPS Act), Malda.

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

Accordingly, CRM (NDPS) 613 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.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)