

27.04.2026

Court No.35.

D/L. 56.

Kausik

(Allowed)

CRM (NDPS) 771 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 English Bazar
Police Station Case No. 198/2025 dated 04.02.2025 under
Section 21(C)/29 of the NDPS Act.

And

In the matter of : Samsundar Sada @ Shyamsundra & Anr.

.....Petitioners.

Mr. Arup Kumar Bhowmick

.....for the Petitioners.

Mr. Md. Adil Badr

Mr. Nirupam Dhali

.....for the State.

Learned advocate appearing for the petitioner submits
that petitioner is in custody for 1 year and 3 months. Charge
sheet has already been submitted and the alleged recovery is
399 Gms. of Brown Sugar from the joint possession of the
petitioners. Prosecution has relied upon 9 witnesses in order to
prove its case. As such, petitioner prays for bail on any
stringent condition.

Learned advocate for the State opposes the prayer for
bail and submits that charge sheet has been submitted.
Charges have been framed and next date has been fixed for
witness action. Records of the case reflect that the Chemical
Examiner's Report reflecting Diacetylmorphine (Heroin), 6-

Monoacetylmorphine, Morphine and Acetylcodeine, four contrabands having been found.

Having considered the quantum of recovery and no quantitative analysis being done in respect of the quantum, I am of the opinion that the judgment of ***Sentu Seikh vs. State of West Bengal (SLP (Crl.) No. 13987/2025)*** is applicable to the facts of the present case.

Accordingly, prayer for bail of the petitioners is allowed.

Accordingly, Petitioners, namely, (1) **Samsundar Sada @ Shyamsundra**, (2) **Inderdeb Sada @ Indradev** 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 Additional District Judge, 4th court cum Special Court, Malda.

If on bail, petitioners shall be physically present on each and every date fixed before 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) 771 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.)