

22.04.2026
Court No.35.
D/L.14.
Rakib
(Allowed)

CRM (NDPS) 639 of 2026

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Gazole Police Station case no. 809 of 2025 dated 17.08.2025 under Sections 21(C)/29/27A of the NDPS Act.

And

In the matter of : Mosaraf Sk @ Chaku.

.....Petitioner.

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick

.....for the Petitioner.

Mr. Bibhaswan Bhattacharya
Ms. Jonaki Saha

.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for eight months and the quantum of seizure in the present case is 414 grams of brown sugar.

Emphasis has been made on the Chemical Examiner's Report which reflects that the components were diacetylmorphine and 6-Monoacetylmorphine.

Learned advocate for the State opposes the prayer for bail and submits that copies have been supplied and date has been fixed for consideration of charges on 2nd of May, 2026.

Having considered the aforesaid and relying upon the judgment of the Hon'ble Supreme Court in **Sentu Seikh -Vs. - State of West Bengal [SLP (Crl.) No. 13987/2025]**, I am inclined to release the petitioner on bail after the charges are framed. Accordingly, the prayer for bail of the petitioner is **allowed**.

As such, petitioner namely, **Mosaraf Sk @ Chaku** 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 under NDPS Act cum Additional District Judge, 4th Court, Malda.

Learned Trial Court is directed to accept the bonds after the stage of consideration of charges is over.

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

If the charges for some reasons or the other cannot be framed on 2nd of May, 2026, the learned Special Court within a period of 30 days from the said date will complete the process.

Accordingly, CRM (NDPS) No. 639 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.)