

22.04.2026

Court No.35.

D/L. 18.

Kausik

(Allowed)

CRM (NDPS) 664 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 Goalpokher Police
Station Case No. 398 of 2025 dated 27.06.2025 under Sections
21(c)/25/29 of the NDPS Act, 1985.

And

**In the matter of : Zaharul Alam @ Jaharul Alam @ Jeherul
Alam @ Jaharul Islam**

.....Petitioner.

Mr. Sekhar Basu, Sr. Adv.

Mr. Md. Wasim Akram

.....for the Petitioner.

Mr. Arijit Ganguli, Ld. APP

Mr. Sujan Chatterjee

.....for the State.

Petitioner was arrested on 6th November, 2025 and
thereafter he is in custody. The subject matter as a whole of the
case relate to alleged recovery of 642 Gms. of Brown Sugar.

There are two seizures in the present case, one effected
initially which was of 303 Gms. of Brown Sugar from another
accused person and so far as the present petitioner is
concerned, there was alleged recovery of 339 Gms. of Brown
Sugar. There are two Chemical Examiner's Report. Also the
initial report is shown to have been dispatched by the Chemical
Examiner on 19th September, 2025 and the seizure which was

effected from the present petitioner was dispatched on 02.03.2026.

Learned advocate for the State opposes the prayer for bail and submits that there are antecedents of the present petitioner. There were telephonic communications between the two accused persons. The case was registered on or about 27th June, 2025. Petitioner was arrested almost 5 months after the incident and after 5 days of custody the present seizure has been effected.

Records reflect that the quantum of seizure, so far as the present petitioner is concerned, is 339 Gms. of Brown Sugar. The Chemical Examiner's Report, so far as the contraband which has been seized reflects Diacetylmorphine (Heroin), 6-Monoacetylmorphine, Morphine & Acetylcodeine being present.

Having regard to the quantum of seizure from the present petitioner and the chemical examiner's report not having been quantified, I am of the opinion that the judgment of the Hon'ble Supreme Court in ***Sentu Seikh vs. State of West Bengal (SLP (Crl.) No. 13987/2025)*** is applicable in the present case. As such, the petitioner is released on bail.

Accordingly, Petitioner, namely, **Zaharul Alam @ Jaharul Alam @ Jeherul Alam @ Jaharul Islam** 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, Raiganj, Uttar Dinajpur under NDPS Act.

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

Accordingly, CRM (NDPS) 664 of 2026 is **allowed**.

Chemical Examiner's Report submitted 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.)