

20.04.2026

Court No.35.

D/L. 27.

Kausik

(Allowed)

CRM (NDPS) 671 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. 1711/2024 dated 20.11.2024 under
Section 20(c)/29 of the NDPS Act, 1985.

And

In the matter of : Monish Kumar

.....Petitioner.

Mr. Saryati Datta
Mr. Altaf Ali Khan
Mr. Kaustav Das

.....for the Petitioner.

Mr. Arijit Ganguly
Ms. Pritha Paul

.....for the State.

Learned advocate appearing for the petitioner submits
that the petitioner is in custody for 516 days and the allegation
against the petitioner is that from the joint possession of the
petitioner and another, 409 Gms. of Brown Sugar were
recovered. Charge sheet has already been submitted and
charges have been framed. As such, according to the petitioner
further detention of the present petitioner is unwarranted.

Learned advocate for the State opposes the prayer for
bail.

It has also been contended that there has been no
quantification in the report submitted by the Chemical

Examiner which reflects that the sample which was sent for analysis, contained Diacetylmorphine (Heroin), 6-Monoacetylmorphine, Morphine, Codeine and Acetylcodeine.

Having considered that there are six contrabands which are present in the sample which has been seized and there has been no quantification of the same, the principles enunciated in ***Sentu Seikh vs. State of West Bengal (SLP (Crl.) No. 13987/2025)*** is applicable to the present case. Consequently, I am inclined to release the petitioner on bail.

Accordingly, Petitioner, namely, **Monish Kumar** 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 under NDPS Act cum Additional Sessions Judge, 3rd Court, Malda.

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 Malda without the prior permission of the learned Special Court.

Accordingly, CRM (NDPS) 671 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.)