

**20.04.2026**

Court No.35.

D/L. 28.

Kausik

(Allowed)

**CRM (NDPS) 672 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 Daulatabad Police  
Station Case No. 236 of 2025 dated 3<sup>rd</sup> August, 2025 under  
section 21(C)/29 of the NDPS Act.

And

**In the matter of : Bablu Sarkar**

**.....Petitioner.**

Mr. Arnab Chatterjee

Mr. Avik Ghosh

Ms. Debolina Roy

.....for the Petitioner.

Mr. Antarikhya Basu

Mr. Bikram Mitra

.....for the State.

The subject matter of the present case relate to initial  
recovery of 2800 bottles of Phensedyl from a vehicle.  
Subsequently, another 401 bottles of Phensedyl were recovered  
from the shop of the present petitioner. It has been pointed out  
that the said shop is a garment shop.

Learned advocate for the petitioner submits, petitioner  
is in custody from 8<sup>th</sup> September, 2025 and the prosecution  
has relied upon 21 witnesses in order to prove its case, out of  
which 4 witnesses have been examined.

Learned advocate for the State opposes the prayer for  
bail and submits that there has been huge recovery initially

from the vehicle and the documents reflect that the vehicle belong to the son of the present petitioner. There are communications between the owner of the said vehicle as well as the present petitioner at the relevant point of time and the police authorities, on further progress of the investigation, recovered another 401 bottles of Phensedyl which implicates the petitioner and his son.

Learned advocate for the petitioner has also relied upon the evidence of the seizure list witnesses. 4 of the seizure list witnesses have been examined. Although the said witnesses have not been declared hostile by the prosecution, but all the seizure list witnesses have, in their examination-in-chief, stated that they knew nothing about the facts of the case and all the documents were signed at the police station.

Having considered that the rigors of Section 37 of the NDPS Act is diluted to some extent, I am inclined to release the petitioner on bail.

Accordingly, Petitioner, namely, **Bablu Sarkar** 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 District Judge, 5<sup>th</sup> Court at Berhampore, Murshidabad.

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 Murshidabad without the prior permission of the learned Special Court.

Additionally, petitioner will meet with the Inspector-in-Charge of Daulatabad Police Station once in every 10 days till further orders of this court.

Accordingly, CRM (NDPS) 672 of 2026 is **allowed**.

Certified copy of the deposition filed 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.)**