

20.04.2026

Court No.35.

D/L. 31.

Kausik

(Allowed)

CRM (NDPS) 675 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 Lalgola Police
Station Case No. 420/2025 dated 26.05.2025 under Sections
21(c)/29 of the NDPS Act.

And

In the matter of : Bitul Sk.

.....Petitioner.

Mr. Tapodip Gupta
Mr. Golam Ahammed

.....for the Petitioner.

Mr. Sanjay Banerjee
Mr. Mainak Gupta

.....for the State.

Learned advocate appearing for the petitioner submits
that the petitioner is in custody for more than 10 months and
charges have already been framed. Although, witness action
has not commenced.

Learned advocate for the State opposes the prayer for
bail and submits that 299 Gms. of Heroin were recovered from
the joint possession of the petitioner and another.

It has also been submitted that no quantification of the
contrabands have been done and the Chemical Examiner's
Report reflect Morphine and 6-Monoacetylmorphine were
recovered.

Having regard to the fact that no quantification has been done and the petitioner is in custody for more than 10 months and the prosecution has relied upon 15 witnesses in order to prove its case, referring to the judgment of **Sentu Seikh vs. State of West Bengal (SLP (Crl.) No. 13987/2025)**, I am of the opinion that further incarceration of the petitioner is unwarranted.

As such, the prayer for bail of the petitioner is allowed.

Accordingly, Petitioner, namely, **Bitul Sk.** 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, 2nd 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.

Accordingly, CRM (NDPS) 675 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.)