

20.04.2026
Serial no. 45
[G.S.D]

CRM (NDPS) 689 of 2026

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with Islampur PS Case No. 130 of 2025 dated February 12, 2025 u/s 21(c)/23(c) of the NDPS Act giving rise to NDPS Case No. 07 of 2025 which has been wrongly written in the order sheet as Spl. NDPS Case No. 07 of 2025.

-And-

In the matter of : Suvarul Islam @ Fakir
... .. Petitioner(s)

Mr. Himanshu De, Sr Adv.
Mr. Navanil De
Mr. Srinjan Ghosh

... for the Petitioner(s)

Mr. Bibaswan Bhattacharya
Mr. Asif Dewan

... for the State-respondent(s)

Learned Senior advocate for the petitioner submits that there has been alleged recovery of 305 gm of brown sugar from the petitioner who is in custody for one year two months. Learned Senior advocate also submits that charge has already been framed and one witness has been examined.

Learned advocate for the State opposes the prayer for bail.

Additionally, it has been contended that chemical examiner's report reflects two contraband being Diacetylmorphine (Heroin) and 6-Monoacetylmorphine.

Having regard to the fact that there has been no quantification in the chemical examiner's report in respect of

the two contraband under the NDPS Act, I am of the view that the petitioner is covered by the judgment of the Hon'ble Supreme Court passed in **Sentu Seikh v. State of West Bengal [SLP (Cri.) No. 13987 of 2025]**.

Having regard to the same, I am of the view that further incarceration of the present petitioner is unwarranted.

Hence, the prayer for bail of the petitioner is **Allowed.**

Accordingly, the petitioner viz, **Suvarul Islam @ Fakir** 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 Judge, Special Court under NDPS Act, Raiganj, Uttar Dinajpur.

If on bail, the petitioner shall also make himself physically available on each and every date so fixed by the learned Special Court/trial court and shall not leave the district of Uttar Dinajpur without prior intimation to the learned Special Court/trial court.

Accordingly, CRM (NDPS) 689 of 2026 is **allowed.**

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)