

20.04.2026

Item No.48

Ct.No.35

dc.

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (NDPS) 692 of 2026

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Kaliachak Police Station Case No. 589 of 2025 dated 12.04.2025 under Sections 21(c)/25/27A/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Saddam Sk and another**

... Petitioners.

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick

... For the Petitioners.

Mr. Iqbal Kabir,
Mr. Bikram Mitra

... For the State.

Learned advocate appearing for the petitioners submits that the subject-matter of the case relates to alleged recovery of 407 grams of brown sugar. Petitioners are in custody for more than a year and till date, charges have not been framed and petitioners are unnecessarily languishing in jail. It has also been contended that there has been no quantification of the contraband which has been seized.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that one absconding accused person has been arrested and another accused person is still absconding.

I have taken into account the chemical examiner's report which reflects that the seized quantity contains Diacetylmorphine (Heroin), 6-Monoacetylmorphine and

Acetylcodeine. Having considered that there has been no quantification in the chemical examiner's report, I am of the view that the judgement of the Hon'ble Supreme Court in *Sentu Seikh Vs. State of West Bengal* arising out of SLP (Crl.) No. 13987/2025 is applicable to the present case. As such, the prayer for bail of the petitioners is **allowed**.

Accordingly, the petitioners viz., 1. **Saddam Sk** and 2. **Laden Sk** shall be released on bail upon furnishing bond of Rs.20,000/- each, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under the NDPS Act-cum-Additional District Judge, 4th Court, Malda.

If on bail, the petitioners shall be physically present on each and every date so fixed by the learned Special Court and shall not leave the jurisdiction of the district of Malda without prior permission of the learned Special Court.

The application for bail, being CRM (NDPS) 692 of 2026, is, thus, disposed of.

All concerned parties shall act on the server copy of this order duly 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.)