

27.04.2026
Serial no. 38
[G.S.D]

CRM (NDPS) 695 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 PTN Case No. 1410 of 2025 arising out of Kaliachak PS Case No. 1651 of 2025 dated 23.09.2025 u/s 21(c)/27(A)/29 of the NDPS Act, 1985.

-And-

In the matter of : Md. Sariul Sk.

	... Petitioner(s)
Mr. Mrityunjoy Chatterjee	
	... for the Petitioner(s)
Mr. Avisek Sinha	
Mr. Subhasish Datta	
	... for the State-respondent(s)

Learned advocate for the petitioner submits that 2.5 kg of heroin have been recovered in the present case. So far as 1505 gm of heroin is concerned, the same have been recovered from one of the accused persons who has been granted bail.

It has been further submitted that on separate dates, two seizures were effected. So far as the present petitioner is concerned, there has been alleged recovery of 447 gm of heroin, charge-sheet has already been submitted and the petitioner is in custody for about four months.

Learned advocate for the State opposes the prayer for bail but do not contradict or refute the factual circumstances as narrated by the learned advocate for the petitioner. Learned advocate added that chemical examiner’s

report is yet to be received, as such, supplementary charge-sheet is awaited in the present case.

In the present case 447 gm of heroin were allegedly recovered from the petitioner and 405 gm of heroin have been recovered from another accused. So far as the other accused is concerned, chemical examiner's report reflect that the same is heroin. So far as the present petitioner is concerned, the chemical examiner's report is awaiting.

Having considered the totality of the circumstances, I direct that, in case, the chemical examiner's report reflects that more than one contraband is present, the learned Special Court would rely upon the judgment of the Hon'ble Apex Court [**Sentu Seikh v. State of West Bengal [SLP (Crl.) No. 13987 of 2025]**], thereafter, exercise its discretion as is applicable in the facts of the case.

With the aforesaid observations, CRM (NDPS) 695 of 2026 is disposed of.

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.)

