

27.04.2026

Court No.35.

D/L. 57.

Kausik

(Allowed)

CRM (NDPS) 772 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 Gangarampur
Police Station Case No. 70 of 2024 dated 20.02.2024 under
Sections 21(c)/22(c)/23(c)/28/29 of the NDPS Act, 1985.

And

**In the matter of : Muzamel Miya @ Pratibandh @ Muzammel
Miya**

.....Petitioner.

Mr. Kaushik Choudhury
Mr. Dwaipayan Panda
Mr. Tridib Das

.....for the Petitioner.

Mr. Prasun Dutta
Mr. Sujata Das

.....for the State.

Learned advocate appearing for the petitioner submits
that the petitioner is in custody for more than 3 years and the
subject matter of the case relate to alleged recovery of 145
bottles of Phensedyl. But there is no recovery from the present
petitioner. Petitioner has been arrested on the basis of
statement of co-accused. Learned advocate prays for bail as
charge sheet has already been submitted in connection with
the instant case.

Learned advocate for the State opposes the prayer for
bail but is unable to refute the contention that there has been

no recovery from the present petitioner. However, learned advocate for the State submits that there are 4 antecedents of the present petitioner.

Having considered the locus of the petitioner so far as the present case is concerned and he is related to co-accused, I am of the opinion that having considered the period of detention, the total recovery in the instant case and the fact that prosecution has relied upon 14 witnesses in order to prove its case which will consume some time to be taken to its logical conclusion, further detention of the present petitioner is unwarranted.

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

Accordingly, Petitioner, namely, **Muzamel Miya @ Pratibandh @ Muzammel Miya** 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 Special Judge under NDPS Act cum Additional Sessions Judge, 3rd Court, Dakshin Dinajpur at Balurghat.

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 Dakshin Dinajpur without the prior permission of the learned Special Court.

Accordingly, CRM (NDPS) 772 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.)