

D/L 46
21.04.2026

C.R.M. (NDPS) 715 of 2026

Bpg.
Allowed.

In Re: An application for bail under section 439 of the Code of Criminal Procedure , 1973, corresponding to under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Kaliachak Police Station Case No.1484 of 2024 dated 18.09.2024 under Sections 21(C)/27A/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985;

Mofajul Hoque
Versus
The State of West Bengal

Mr. Arup Kumar Bhowmick.
...for the petitioner.

Mr. Rudradipta Nandy
Ms. Nahid Ahmed.
...for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 1 year 7 months. Till date only one witness has been examined and the subject matter of the case relates to alleged recovery of 308 grams of brown sugar.

Learned advocate for the State opposes the prayer for bail.

Charge-sheet reflects that there are 10 witnesses. The chemical examiner's report also reflects that there were Die Acetyl, 6 Mono Acetyl Morphine, Acetyl Codeine and Morphine. There are no quantification in respect of such contraband having been made. As such, considering the judgment of Hon'ble Supreme Court in SLP(Crl.) No.13987 of 2025 (Sentu Seikh Versus State of West Bengal), I am inclined to release the petitioner on bail.

Accordingly, the prayer for bail of the petitioner is allowed. The petitioner, namely, Mofajul Hoque 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) each, one of whom must be local to the satisfaction of the learned Additional District Judge, 3rd Special Court, Malda. Nadia. If on bail, the petitioner shall be physically present on each and every date fixed by the learned special court and shall not leave the jurisdiction of the district of Malda without prior permission of learned special court.

Accordingly, CRM(NDPS) 715 of 2026 is allowed.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)