

21.04.2026
Court No.35.
D/L.49.
Rakib
(Allowed)

CRM (NDPS) 718 of 2026

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kaliachak Police Station case no. 1200 of 2024 dated 02.08.2024 under Sections 21(c)/25/27A of the NDPS Act.

And

In the matter of : Setaur Rahaman.

.....Petitioner.

Mr. Wasim Akram
Mr. Minhaj S. Islam
Ms. Savrina Parveen

.....for the Petitioner.

Mr. Subhamoy Bhattacharya
Mrs. Ratna Ghosh

.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for more than nine months and the case has been initiated on the basis of alleged recovery of 648 grams of brown sugar from the house of the petitioner. Learned advocate also submits that there is no quantification so far as the contraband which has been seized.

Learned advocate for the State opposes the prayer for bail.

I have taken into account the quantum of seizure, the period of detention and the fact that there has been no quantification of the contraband which has been seized and the chemical examiner's report reflects that diacetylmorphine (heroin), 6-Monoacetylmorphine, Morphine-3-acetate, Acetylcodeine, Morphine & Codeine.

Having considered the aforesaid and relying on the judgment of the Hon'ble Supreme Court in **Sentu Seikh –Vs. – State of West Bengal [SLP (crl) No. 13987/2025]**, I am of the view that petitioner is entitled to be released on bail. Accordingly, the prayer for bail of the petitioner is **allowed**.

As such, petitioner namely, **Setaur Rahaman** 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, 4th Court, Malda.

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 District of Malda without the prior permission of the learned Special Court.

Accordingly, CRM (NDPS) No. 718 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.)