

22.04.2026
Serial no. 27
[G.S.D]

CRM (NDPS) 723 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 NDPS Case No. 77 of 2025 arising out of Baishnabnagar PS Case No. 787 of 2025 dated 22.06.2025 u/s 21(c)/27A/29 of the NDPS Act, 1985.
-And-

In the matter of : Chhaton Mandal @ Chhoton @ Chotan Mandal @ Chhoton Mandal & Anr.

... .. Petitioner(s)

Mr. Mrityunjoy Chatterjee
Mr. Manas Das
Ms. Suchismita Chakraborty
Mr. Arindam Poali

... for the Petitioner(s)

Mr. Avishek Sinha
Mr. Abhinaba Mukherjee

... for the State-respondent(s)

Learned advocate for the petitioners are in custody for ten months and the subject-matter of the case is alleged recovery of 353 gm of heroin.

Learned advocate for the State opposes the prayer for bail as the contraband which has been seized is of commercial quantity.

The records of the case reflect that from the chemical examiner’s report, there are three contraband being Diacetylmorphine (Heroin), 6-Monoacetylmorphine & Acetylcodeine which are covered under the NDPS Act but the report do not quantify the same.

Having considered the proposition as laid down by the Hon'ble Supreme Court in **Sentu Seikh v. State of West Bengal [SLP (Cri.) No. 13987 of 2025]** and the period of detention of the present petitioner, I am inclined to enlarge the petitioner on bail.

Hence, the prayer for bail of the petitioners is **Allowed.**

Accordingly, the petitioners viz, **Chhaton Mandal @ Chhoton @ Chotan Mandal @ Chhoton Mandal and Sonaton Mandal** shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only) **each**, 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, 4th Court under NDPS Act, Malda.

If on bail, the petitioners shall also make themselves physically available on each and every date so fixed by the learned Special Court/trial court and shall not leave the district of Malda without prior intimation to the learned Special Court/trial court.

Accordingly, CRM (NDPS) 723 of 2026 is **allowed.**

Chemical Examiner's report submitted be kept with the record.

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.)