

21.04.2026

Court No.35.

D/L. 61.

Kausik

(Allowed)

CRM (NDPS) 730 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 Kaliachak Police
Station Case No. 1209 of 2024 dated 03.08.2024 under Section
21(C)/25/27A/29 of the NDPS Act.

And

In the matter of : Md. Sahajan Sk. @ Md. Sajahan Sk & Ors.

.....Petitioners.

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick
Mr. Tanmoy Khan

.....for the Petitioners.

Mr. Iqbal Kabir
Mr. Arup Sarkar

.....for the State.

Learned advocate for the Petitioner is granted liberty to
correct the cause title.

Petitioners are in custody for 1 year and 8 months and
the subject matter of the recovery in the present case is 451
Gms. of Brown Sugar. Emphasis has been made on the
Chemical Examiner's Report.

Learned advocate for the State submits that out of 13
witnesses cited by the prosecution, 2 witnesses have already
been examined. The Chemical Examiner's Report reflects,
presence of Diacetylmorphine (Heroin), 6-Monoacetylmorphine,
Acetylcodeine, Morphine & Codeine. The quantification of the

same is absent and all the above contrabands are under the schedule of the NDPS Act.

I have also taken into account the period of detention of the present petitioners as well as the further time which will be consumed for taking the trial to its logical conclusion as 11 more witnesses are yet to be examined. Having considered the judgment in ***Sentu Seikh vs. State of West Bengal (SLP (Crl.) No. 13987/2025)*** I am inclined to release the petitioners on bail.

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

Accordingly, Petitioners, namely, (1) **Md. Sahajan Sk. @ Md. Sajahan Sk.**, (2) **Samaun Sk.**, (3) **Md. Samiul Sk.**, (4) **Nasimul Sk.** 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 Additional District Judge, 4th Court, Special Court, Malda.

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 Malda without the prior permission of the learned Special Court.

Accordingly, CRM (NDPS) 730 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.)