

22.04.2026
Serial no. 29
[G.S.D]

CRM (NDPS) 731 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 PTN Case No. 1163 of 2025 arising out of English Bazar PS Case No. 1826 of 2025 dated 20.08.2025 u/s 21(c)/27A/29 of the NDPS Act.

-And-

In the matter of : Tajbira Khatun

... .. **Petitioner(s)**

Md. Wasim Akram

... for the Petitioner(s)

Mr. Bitasok Banerjee
Ms. Ankita Paul

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is in custody for 244 days; charge-sheet has already been submitted but copies have not been supplied.

Learned advocate refers to the charge-sheet and submits that it has been referred in the chemical examiner’s report that contraband contained is Diacetylmorphine (Heroin), 6-Monoacetylmorphine & Morphine along with other substances.

Learned advocate for the State opposes the prayer for bail and submits that another co-accused Ashim Sk’s anticipatory bail application has been rejected.

The purpose of anticipatory bail and bail are distinct. The petitioner was throughout in custody in course of the investigation. So far as the chemical examiner’s report is

concerned, there has been no quantification in respect of the contraband.

Having considered the proposition as laid down by the Hon'ble Supreme Court in **Sentu Seikh v. State of West Bengal [SLP (Crl.) 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 petitioner is **Allowed.**

Accordingly, the petitioner viz, **Tajbira Khatun** 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-cum- Additional District Judge, 4th Court, Malda.

If on bail, the petitioner shall also make himself 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) 731 of 2026 is **allowed.**

Memo of Evidence 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.)