

27.04.2026
Serial no. 42
[G.S.D]

CRM (NDPS) 735 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 Balurghat PS Case No. 454 of 2025 dated 10.07.2025 u/s 21(c)/22(c)/23(c)/25/27A/29 of the NDPS Act corresponding to NDPS Case No. 41 of 2025.

-And-

In the matter of : Jashim Uddin Sarkar

... Petitioner(s)

Mr. Ayan Bhattacharya, Sr Adv.
Mr. Kaushik Choudhury
Mr. Dwaipayan Panda
Mr. Tridib Das

... for the Petitioner(s)

Mr. Ranadeb Sengupta
Ms. Debjani Sahu

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is in custody since 17th July, 2026 and charge-sheet was submitted in the month of January, 2026.

Learned advocate also submits that earlier, the prayer for bail of the present petitioner was rejected as in the case diary, CDR was available. However, the evidence of the witnesses did not reflect any Nodal Officer and/or the manner in which the State intended to produce such Call Data Records before the learned Special Court.

Learned advocate for the State opposes the prayer for bail and submits a report.

The case diary reflects call data records but so far as the Nodal Officer and/or the statement of any officer of the

service provider is concerned, nothing is available in the case diary. Charge-sheet was submitted in the month of January, 2026 and, till date, neither any supplementary charge-sheet has been submitted before the learned trial court nor the report reflecting that the same is being processed. Learned advocate additionally submits that there is an antecedent of the present petitioner.

In case, the service provider and/or the Nodal Officer's certification is not there, what remains is the statement of the co-accused. There is no money trail as is reflected from the report.

Having considered that 3190 bottles of phensedyl were recovered from different accused persons and the petitioner has been implicated in the present case because of telephonic conversation as has been alleged by the investigating officer of the case and the fact that charge-sheet after being submitted do not spell out such materials being relied upon, I am inclined to enlarge the petitioner on bail.

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

Accordingly, the petitioner viz, **Jashim Uddin Sarkar** 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 Additional Sessions Judge, 3rd Court, Dakshin Dinajpur at Balughat.

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 Dakshin Dinajpur without prior intimation to the learned Special Court/trial court.

Additionally, the petitioner shall meet with the Investigating Officer and/or any other officer deputed by the Officer-in-charge of Balurghat Police Station till charges are framed by the learned trial court/Special Court.

Accordingly, CRM (NDPS) 735 of 2026 is **allowed**.

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.)

