

D/L 38
22.04.2026

Bpg.
Allowed.

C.R.M. (NDPS) 747 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 filed in connection with Kaliachak Police Station Case No.1508 of 2023 dated 23.11.2023 under Sections 21(c)/27a/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985;

Md. Alam Sk @ Md Alam Sekh
Versus
The State of West Bengal

Mr. Wasim Akram
Mr. Minhaz S. Islam.
...for the petitioner.

Mr. Prasun Kumar Datta
Mr. Soumya Basu Roy Chowdhuri.
...for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 2 years 5 months and only charges have been framed till date. Prosecution has relied upon 11 witnesses in order to prove its case. Further, it has been pointed out that the chemical examiner's report incorporates several contrabands which have not been quantified.

Learned advocate for the State opposes the prayer for bail as the quantum of recovery is 376 grams of brown sugar.

I have taken into account the period of detention of the present petitioner as well as the fact that in the chemical examiner's report it reflects presence of 6 Mono Acetyl Morphine, Acetyl Codeine, Morphine.

Having considered that the quantum so seized is 376

grams of brown sugar and the results reflect three contrabands without being quantified and relying upon the judgment of Hon'ble Supreme Court in SLP(Cri) No.13987 of 2025 (Sentu Seikh Versus State of West Bengal), I am inclined to release the petitioner on bail.

Accordingly, the prayer for bail of the petitioner is allowed. The petitioner, namely, Md. Alam Sk @ Md Alam Sekh 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) each, one of whom must be local to the satisfaction of the learned Judge, 3rd Special 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 the district of Malda without prior permission of learned special court.

Accordingly, CRM(NDPS) 747 of 2026 is allowed.

All parties shall act on the server copy of this order duly 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 of all requisite formalities.

(Tirthankar Ghosh, J.)