

22.04.2026

Court No.35.

D/L. 51.

Kausik

(Allowed)

CRM (NDPS) 761 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 English Bazar
Police Station Case No. 209 of 2025 dated 05.02.2025 under
Sections 21(C)/29 of the NDPS Act, 1985.

And

In the matter of : Amrit Kumar Jha & Anr.

.....Petitioners.

Mr. Satadru Lahiri
Mr. Benajir Hasna
Mr. Aliul Islam
Mr. Sadid Haider

.....for the Petitioners.

Mr. Sandip Chakraborty
Ms. Rajashree Tah

.....for the State.

Learned advocate appearing for the petitioners submits
that earlier the prayer for bail of the petitioners were rejected. It
has been pointed out that the alleged recovery in the instant
case is of 301 Gms. of Heroin. Petitioners are in custody for 1
year 2 months and till date only charges have been framed and
witness action has not commenced.

Learned advocate for the State opposes the prayer for
bail.

Records of the case reflect that the Chemical
Examiner's Report wherein two contrabands have been

detected as Diacetylmorphine and 6-Monoacetylmorphine. There has been no quantification of the same as per the report or thereafter by the investigating agency. Consequently, the judgment of the Hon'ble Supreme court in ***Sentu Seikh vs. State of West Bengal (SLP (Crl.) No. 13987/2025)*** is applicable. Petitioners, as such are released on bail.

Accordingly, Petitioners, namely, (1) **Amrit Kumar Jha**, (2) **Dilkhush Kumar Jha** 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 Judge, Special Court, NDPS Act cum Addl. Sessions Judge, 3rd Court, Malda.

If on bail, petitioners 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) 761 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.)