

27.04.2026

Sl. No. DL 68
Court No. 35

ALLOWED

Asraf, A.R.(Ct.)

In the High Court at Calcutta
Criminal Miscellaneous Jurisdiction

Case No.

CRM (NDPS) 783 of 2026

In Re : An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Kaliganj Police Station case no.100 of 2025 dated 30.01.2025 under Sections 21(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

-AND-

In the matter of :

MORSELM SEKH @ MURSALIM SK. & ANR.

.....*Petitioners*

For the Petitioners :

Mr. Sandip Chakraborty
Mr. Amanul Islam
Mr. Sourav Mukherjee
Mr. Raja Das
Mr. Koustab Das

...*Advocates*

For the State :

Mr. Avishek Sinha
Mr. Aritra Bhattacharya

...*Advocates*

1. Learned advocate appearing for the petitioners submits that the petitioners are in custody for one year and three months and they have been implicated for alleged recovery of 513 grams of Heroin. It has further been submitted that charges have already been framed and witness action has already commenced.
2. Learned advocate appearing on behalf of the State opposes the prayer for bail.

3. Records of the case reflect seizure of 513 grams of Heroin and the chemical examiner's report reflects Morphine, 6-Monoacetylmorphine and Thebaine. Each of the contrabands which are reflected do have a separate quantification under the Schedule of the Narcotic Drugs and Psychotropic Substances Act, 1985. Consequently, in the absence of any quantification and the quantum so seized, the judgment of the Hon'ble Supreme Court of India rendered in **Sentu Seikh vs. State of West Bengal [SLP (Crl.) No.13987 of 2025]** is applicable to the facts of the present case. Additionally ten more witnesses are yet to be examined.
4. Having regard to the same as well as the observations of the Hon'ble Apex Court, I am inclined to release the petitioners on bail.
5. Accordingly, the prayer for bail of the petitioners is **allowed.**
6. As such, the petitioners, namely, **Morselim Sekh @ Mursalim Sk. And Babar Ali Sekh @ Mojammel Sekh** 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 the learned Judge, Special Court, N.D.P.S. Act, Nadia at Krishnagar.
7. If on bail, the petitioners shall be physically present on each and every date before the learned Trial Court in seisin of the case. The petitioner shall not leave the district of Nadia without prior permission of the concerned Court.

8. Accordingly, CRM(NDPS) 783 of 2026 is **disposed of**.
9. Case diary be returned to the learned advocate appearing for the State.
10. All parties shall act on the basis of server copy of this order duly downloaded from the official website of this Court.
11. Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Tirthankar Ghosh, J.)