

09.06.2026
Court No.35.
D/L.40.
Rakib
(Allowed)

CRM (NDPS) 824 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 in connection with NDPS Case No. 254 of 2025 arising out of F. No. – SI (VII) – 197/2025 (AIU) Dated – 21.08.2025 under Sections 20(b)(ii)(b)/23(b)/8 of the NDPS Act.

And

In the matter of : Firoz Zahaali Mirza.

.....Petitioner.

Mr. Susnigdho Bhattacharyya
Mr. Md. Golam Nure Imrohi
Ms. Sarmistha De
Ms. Popi Sarkar

.....for the Petitioner.

Mr. Vupul Kundalia, Sr. Adv,
Mr. Tapan Bhanja

.....for the Customs Authority.

Learned advocate appearing for the petitioner submits that the petitioner was apprehended in connection with the instant case for alleged recovery of 10726 grams of ganja and is in custody for 262 days. The complaint has already been submitted before the jurisdictional Court, however, witness action has not commenced.

Learned advocate for the Air Customs Authorities opposes the prayer for bail as the petitioner is from Maharashtra and has been using the Calcutta Airport as the corridor.

Having considered the verdict of the Hon'ble Supreme Court in Barnali Bag -Vs. – Union of India [SLP (Crl.) No. 3641 of 2026] wherein the Hon'ble Supreme Court was pleased to emphasize on the factum of intermediate quantity, I am of the view that the petitioner may be released on bail. Accordingly, the prayer for bail of the petitioner is **allowed**.

As such, petitioner namely, **Firoz Zahaali Mirza** shall be released on bail upon furnishing bond of Rs. 20,000/- (Rupees Twenty Thousand only), with two sureties of like amount each, both of whom must be local to the satisfaction of the learned Special Court (under NDPS Act) cum learned Additional District & Sessions Judge, 8th Court at Barasat, North 24 Parganas.

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 District of North 24 Parganas without the prior permission of the learned Special Court.

Additionally, if on bail the petitioner shall once in a fortnight meet with the Investigating Officer of the case or any officer assigned by the Principal Commissioner of Customs, Air Cargo Complex.

Accordingly, CRM (NDPS) No. 824 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.)