

09.06.2026
Serial no. 33
[G.S.D]

CRM (NDPS) 808 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 Special Case No. 39 of 2024 arising out of Kaliachak Police Station Case No. 802 of 2024 dated 04.06.2024 u/s 21(c)/27(A)/29 of the NDPS Act, 1985.
-And-

In the matter of : Asit Mandal

Mr. Kalidas Saha
Ms. Khushi Mollick
Mr. P. K. Chauhan

... .. Petitioner(s)

... for the Petitioner(s)

Mr. Somnath Adhikary

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is in the custody for more than two years and the evidence of only one witness till date has been completed. Learned advocate added that the prosecution has relied upon nine witnesses, as such, there is no possibility of the trial being concluded in the near future.

Learned advocate also relies upon the principles as laid down in [Sentu Seikh v. State of West Bengal [SLP (Crl.) No. 13987 of 2025] and has drawn the attention of the court to the chemical examiner’s report. Therefore, the learned advocate prays that the petitioner may be enlarged on bail on any stringent condition.

Mr. Somnath Adhikary, learned advocate, appears on behalf of the State as per the direction of this Court. His appointment may be regularized by the concerned authority.

Learned advocate for the State opposes the prayer for bail and submits that the delay in the present case is because of another accused having been arrested after the evidence of one of the witnesses was complete. The present petitioner is also having criminal antecedents, as such, some more time be granted to the State for taking the trial to its logical conclusion since the recovery in this case is of commercial quantity.

I have taken into account the period of detention of the present petitioner and the chemical examiner's report which reveals the presence of Morphine, Codeine and Thebaine - which were not quantified.

Having considered the period of detention and the principles as laid down in [**Sentu Seikh v. State of West Bengal [SLP (Cri.) No. 13987 of 2025]**], I am of the view that further detention of the present petitioner is unwarranted.

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

Accordingly, the petitioner viz, **Asit Mandal** 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 Judge, Special 3rd Court, Malda.

If on bail, the petitioner shall 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 Malda without prior intimation to the learned Special Court/trial court.

Accordingly, CRM (NDPS) 808 of 2026 is **allowed**.

Pending application(s), if any, is also disposed of.

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.)