

Item No.42
Ct.No.35
dc.
Allowed

C.R.M. (NDPS) 805 of 2026

And

Md. Wasim Akram,
Ms. Sabrina Parveen,
Mr. Minhaz Serwenj Islam

... For the Petitioner.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for ten months and the subject-matter of the case relates to alleged recovery of 440 bottles of Phensedyl from other accused persons. It has also been pointed out that other accused persons who faced trial have been acquitted of the charges.

Ms. Arushi Rathore, learned advocate is directed to represent the State. Her appointment may be regularised by the concerned authorities.

Learned advocate for the State has produced the case diary along with report of the Inspector-in-Charge, Kaliachak Police Station.

Having considered the overall circumstances of the case, I am of the opinion that acquittal of the other accused persons can never be a ground for granting bail to a person who has absconded in course of the trial. However, having considered that the petitioner is in custody for ten months, I am inclined to release the petitioner on bail. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Sainul @ Saimul Sk @ Saminur Sk @ Md Sainul Sk @ Sainul Sk @ Samiul Sk** shall be released on bail upon furnishing bond of Rs.20,000/-, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under the NDPS Act-cum-Additional District Judge, 4th Court, Malda.

If on bail, the petitioner shall be physically present on each and every date so fixed by the learned Special Court and shall not leave the jurisdiction of the district of Malda without prior permission of the learned Special Court.

Additionally, the petitioner shall once in a week meet with the Inspector-in-Charge of Kaliachak Police Station till the same is modified by the learned Special Court.

The application for bail, being CRM (NDPS) 805 of 2026, is, thus, disposed of.

Report submitted on behalf of the State be kept with the record.

Case diary be returned to the learned advocate appearing for the State.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)