

30.04.2026
Serial no. 6
[G.S.D]

CRM (NDPS) 811 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 Kumarganj PS Case No. 322 of 2025 dated 27.08.2025 u/s 21(c)/22(c)/23(c)/27A of the NDPS Act, 1985 (corresponding to NDPS Case No. 59 of 2025).

-And-

In the matter of : Arafat Miah @ Arafat Miya
... .. Petitioner(s)

Mr. Kaushik Chowdhury
Mr. Dwaipayan Panda

... for the Petitioner(s)

Mr. Ranabir Roy Chowdhury
Ms. Puspita Saha

... for the State-respondent(s)

Learned advocate for the petitioner submits that the subject-matter of the case involves alleged recovery of 95 bottles of MK Dyl cough syrup from the house of the present petitioner who is in custody for eight months. Learned advocate also submits that two of the accused persons are absconding, as such, there is no possibility of the trial commencing in the near future. Accordingly, he prays that the petitioner may be enlarged on bail.

Learned advocate for the State opposes the prayer for bail and submits that it was from the house of the present petitioner, the recovery was made.

Having regard to the period of detention of the present petitioner; quantum of seizure and the prosecution

relying upon 12 witnesses in order to prove its case, I am of the opinion that some time will be required to take the trial to its logical conclusion.

Considering the same, I am of the view that further incarceration of the present petitioner is unwarranted.

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

Accordingly, the petitioner viz, **Arafat Miah @ Arafat Miya** 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 Special Judge (under NDPS Act)-cum- ADJ, 3rd Court, Dakshin Dinajpur at Balurghat.

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

Accordingly, CRM (NDPS) 811 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.)