

22.06.2026
Court No.35.
D/L.64.
Rakib
(Allowed)

CRM (NDPS) 872 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 Lalgola Police Station case no. 787 of 2024 dated 28.07.2024 under Sections 21(c)/29 of the NDPS Act.

And

**In the matter of : Golam Mustafa @ Mungla @ Golam Mostafa Sk.
.....Petitioner.**

Mr. Sayan Mukherjee
Ms. Mayurakshi Saha
Mr. Anisur Rahaman

.....for the Petitioner.

Mr. Suraj Mishra

.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody since October, 2024, more than one year eight months have passed since then. The charge-sheeted witnesses who have been examined in respect of the seizure which was effected from the petitioner, prima facie, reflect that they have turned hostile. There are 12 more witnesses who are yet to be examined by the prosecution, as such petitioner may be released on bail.

Learned advocate appearing for the State opposes the prayer for bail and submits that the other seizure list witnesses include the police officers and it has been stated that the evidence of the police officers would be sufficient to prove the case.

Be that as it may, the independent witnesses have not supported the prosecution case which according to this Court

dilutes the issue relating to the seizure subject to the decision of the learned trial Court.

Having regard to the period of detention of the petitioner and that some more time will be required to take the trial to its logical conclusion, I am inclined to release the petitioner on bail. Accordingly, the prayer for bail of the petitioner is **allowed**.

As such, the petitioner, namely, **Golam Mustafa @ Mungla @ Golam Mostafa Sk** 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 Court (under NDPS Act), 2nd Court, Berhampore, Murshidabad.

If on bail, the petitioner shall be physically present on each and every date before the learned Trial Court and shall not leave the jurisdiction of district of Murshidabad without prior permission of the learned Special Court.

Thus, CRM (NDPS) No. 872 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.)