

19.05.2026

Court No.35.

D/L. 67.

Kausik

(Allowed)

CRM (NDPS) 850 of 2026

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure, 1973 in connection with Kaliachak Police
Station Case No. 828 of 2025 dated 18.05.2025 under Sections
21(c)/25/27A/29 of the NDPS Act, 1985.

And

In the matter of : Sultan Ali & Anr.

.....Petitioners.

Mr. Md. Wasim Akram
Ms. Sabrina Parveen

.....for the Petitioners.

Mr. Somnath Adhikary

.....for the State.

Learned advocate appearing for the petitioner submits
that the petitioner is in custody for more than a year and the
subject matter of the case relate to alleged recovery of 258
Gms. of Brown Sugar and a sum of Rs. 50,000/-. Other
accused person has been granted bail on the issue of the
principle decided in ***Sentu Seikh vs. State of West Bengal***
(SLP (Crl.) No. 13987/2025).

Mr. Somnath Adhikary, learned advocate who is
empanelled with the Union of India, is directed to represent the
State. His appointment may be regularized by the concerned
authorities.

In the present case the Chemical Examiner's Report reflects Diacetylmorphine (Heroin), 6-Monoacetylmorphine and Codeine. The same has not been quantified. As such, in spite of objection raised by the State, petitioners are released on bail.

Accordingly, Petitioners, namely, (1) **Sultan Ali**, (2) **Vishal Kumar** shall furnish 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 Learned Judge, Special Court, 4th Court, Malda.

If on bail, petitioners shall be physically present on each and every date fixed before the learned Trial Court and shall not leave the jurisdiction of District of Malda without the prior permission of the learned Special Court.

Accordingly, CRM (NDPS) 850 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.)