

D/L45
21.05.2026
Bpg.
Allowed

C.R.M. (NDPS) 841 of 2026

In Re: An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Baishnabnagar Police Station Case No.1301 of 2025 dated 03.10.2025 under Sections 21(c)/27(A)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985;

Rakib Sk
Versus
The State of West Bengal

Mr. Md. Wasim Akram.
...for the petitioner.

Mr.Somnath Adhikary.
...for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for more than 7 months, charge-sheet has been submitted and there has been no quantification of the contraband which has been seized. Further, it has been submitted that the quantum of recovery in the present case is 281 grams of brown sugar.

Mr. Somnath Adhikary, learned advocate, is directed to represent the State. His appearance may be regularized by the concerned authority.

Learned advocate for the State opposes the prayer for bail. Attention of the Court was drawn to the chemical examiner's report which reflects Diacetylmorphine and 6 Monoacetylmorphine. Both are contraband under the provisions of NDPS Act and have

been separately quantified in the schedule.

Having considered that no quantification has been made and the principles laid down in the judgment of the Hon'ble Supreme Court in SLP(Crl.) No.13987 of 2025 (Sentu Seikh Versus State of West Bengal), I am of the opinion that the petitioner is entitled to be released on bail.

Accordingly, the prayer for bail of the petitioner is allowed. The petitioner, namely, Rakib Sk shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties of Rs.10,000/- each, one of whom must be local to the satisfaction of the learned Judge, Special, 4th Court under NDPS Act, Malda. If on bail, the petitioner shall be physically present on each and every date fixed by the learned special court and shall not leave the district of Malda without prior permission of the learned special court.

Thus, CRM(NDPS) 841 of 2026 is allowed.

Memo of Evidence submitted by the State be kept with the record.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)

