

22.06.2026
Court No.35.
D/L.55.
Rakib
(Allowed)

CRM (NDPS) 853 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. 544 of 2025 dated 26.06.2025 under Sections 21(C)/29 of the NDPS Act.

And

In the matter of : Rakib Sk @ Nayan.

.....Petitioner.

Mr. Arnab Chatterjee
Mr. Avik Ghosh

.....for the Petitioner.

Mr. Gouranga Kr. Das, Ld. APP
Ms. Nayana Mukhopadhyay

.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 11 months and the alleged recovery in the present case is 289 grams of heroin.

Learned advocate appearing for the State opposes the prayer for bail.

I have taken into account the Chemical Examiner's report which reflects 6 monoacetyl morphine as well as diacetyl morphine, however, the same has not been quantified. In view of the judgment of the Hon'ble Supreme Court in **Sentu Seikh -Vs. - State of West Bengal [SLP (Crl.) No. 13987 of 2025]**, I am inclined to release the petitioner on bail as there is no scope of the trial commencing in near future. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner, namely, **Rakib Sk @ Nayan** 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. 853 of 2026 is **allowed**.

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

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.)