

21.05.2026
Serial no. 69
[G.S.D]

CRM (NDPS) 866 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 Kaliachak PS Case No. 13 of 2024 dated 03.01.2024 u/s 21(c)/27A/29 of the NDPS Act..
-And-

In the matter of : Sabir Sk

Mr. Manjeet Saha	 Petitioner(s)
	... for the Petitioner(s)
Mr. Somnath Adhikary	... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is in custody for more than two years four months. According to the learned advocate, the subject-matter of the alleged recovery in the present case is 260 gm of brown sugar.

Mr. Somnath Adhikary, learned advocate, empanelled with the Union of India, appears for the State as per the direction of this Court. His appointment may be regularized by the concerned authority.

Learned advocate for the State opposes the prayer for bail.

Having considered that the period of detention of the present petitioner as also the chemical examiner’s report, I am of the opinion that the principles laid down in [Sentu

Seikh v. State of West Bengal [SLP (Crl.) No. 13987 of 2025], for the purposes of bail, is applicable to the present case.

Considering the same, I am inclined to enlarge the petitioner on bail.

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

Accordingly, the petitioner viz, **Sabir 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, 3rd Court under NDPS Act, Malda.

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 Malda without prior intimation to the learned Special Court/trial court.

Accordingly, CRM (NDPS) 866 of 2026 is **allowed.**

Memo of Evidence submitted be kept with the record.

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.)

