

22.06.2026
Court No.35.
D/L.62.
Rakib
(Rejected)

CRM (NDPS) 870 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 Malda Town GRPS Police Station case no. 06 of 2025 dated 19.01.2025 under Sections 21(C)/29 of the NDPS Act.

And

In the matter of : Ismail Sk. @ Babulal Sk.

.....Petitioner.

Mr. Sabir Ahmed,
Mr. Dhiman Banerjee
Mr. Quazi Ezaz Ahmed

.....for the Petitioner.

Mr. Rajendra Banerjee, Ld. APP
Mr. P. Kumar Singh

.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 17 months, charges have been framed and witness action is yet to commence. Prosecution has relied upon 16 witnesses in order to prove its case.

Learned advocate appearing for the State opposes the prayer for bail and submits that the alleged recovery is 2.098 kg of heroin, petitioner has criminal antecedents, as such he may not be released on bail.

I have taken into account the period of detention, at this stage, I am of the opinion that rigors of Section 37 of the NDPS act is attracted.

Thus, the prayer for bail of the petitioner in CRM (NDPS) 870 of 2026 is **rejected at this stage.**

However, petitioner would be at liberty to approach this Court after the evidence of seizure list witnesses are over.

Learned trial Court would put in efforts to expedite the process of trial and give the seizure list witnesses priority for being examined.

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.)