

D/L90
17.06.2026
Bpg.
Allowed

C.R.M. (NDPS) 890 of 2026

In Re: An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Lalgola Police Station Case No.755 of 2025 dated 28th August, 2025 under Sections 21(C)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985;

Johiruddin Babar @ Tony
Versus
The State of West Bengal

Mr. Arnab Chatterjee
Mr. Avik Ghosh.
...for the petitioner.

Mr. Rajendra Banerjee
Mr. Sankalpa Bhattacharjee.
...for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody since August, 2025 and has been implicated for alleged recovery of 414 grams of heroin. Charge-sheet has already been submitted but till date charges have not been framed and prosecution has relied upon 22 witnesses in order to prove its case, as such, some time will be required to take the trial to its logical conclusion. Hence, petitioner be released on bail.

Learned advocate for the State opposes the prayer for bail as the commercial quantity of contraband has been seized.

From the chemical examiner's report, I find that there are three contrabands, namely, Morphine, 6 Monoacetylmorphine and Diacetylmorphine. Having regard to the judgment of 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, Johiruddin Babar @ Tony 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 Court, under NDPS Act, Berhampore, Murshidabad. 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 Murshidabad without prior permission of the learned special court.

Thus, CRM(NDPS) 890 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.)