

21.05.2026
Court No.35.
D/L.100.
Rakib
(Allowed)

CRM (NDPS) 898 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 Police Station case no. 1683 of 2025 dated 06.11.2025 under Sections 21(C)/22(C)/23(C) of the NDPS Act.

And

In the matter of : **Afsar Ali & Anr.**

.....Petitioners.

Mr. Santanu Talukdar

.....for the Petitioners.

Mr. Sagar Saha

.....for the State.

Learned advocate appearing for the petitioners submit that there were certain initial recovery of bottles of phensedyl (25 bottles), thereafter the investigating agency implicated the petitioners in a case for further recovery of 699 bottles of phensedyl. Petitioners are in custody for almost six months and charge-sheet has already been submitted in connection with the instant case, as such further detention of the petitioners are unwarranted.

Mr. Sagar Saha, learned advocate is directed to represent the State. His appearance may be regularized by the concerned authority. Learned advocate appearing for the State opposes the prayer for bail.

I have taken into account the Case Diary and I find in the charge-sheet that the prosecution has relied upon 16 witnesses in order to prove its case. Having considered the period of detention of the present petitioners and the fact that the trial will take some time to be concluded, I am of the view that on certain conditions the

petitioners may be released on bail. Accordingly, the prayer for bail of the petitioners is **allowed**.

As such, petitioners namely, **Afsar Ali and Nasirul Sk** shall be released on bail upon furnishing bond of Rs. 20,000/- (Rupees Twenty Thousand only) each, 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, Malda.

If on bail, the petitioners shall be physically present on each and every date fixed by the learned Special Court and shall not leave the jurisdiction of District of Malda without the prior permission of the learned Special Court.

Thus, CRM (NDPS) No. 898 of 2026 is **allowed**.

Memo of evidence submitted by the State is 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.)