

21.05.2026
Serial no. 102
[G.S.D]

CRM (NDPS) 900 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 Malda Town GRPS Case No. 90 of 2025 dated 20.10.2025 u/s 21(c)/29 of the NDPS Act.

-And-

In the matter of : Sahadat Hossain & Anr.

... .. Petitioner(s)

Mr. Arup Kumar Bhowmick

... for the Petitioner(s)

Mr. Somnath Adhikary

... for the State-respondent(s)

Learned advocate for the petitioners submits that the petitioners are in custody for seven months and the subject-matter of the case relates to alleged recovery of 306 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.

The charge-sheet reflects that there are 14 witnesses on whom the prosecution has relied upon to prove its case but till date charges have not been framed. The chemical examiner's report also reflects the presence of

Diacetylmorphine (heroin) & 6-Monoacetylmorphine. But the same contraband has not been quantified.

Having considered the principles laid down in [**Sentu Seikh v. State of West Bengal [SLP (Crl.) No. 13987 of 2025]**], I am inclined to extend the same benefit to the present petitioners.

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

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

Accordingly, the petitioner viz, **Sahadat Hossain** and **Haider Ali** 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 Additional District Judge, 4th Court, Special Court, Malda.

If on bail, the petitioners shall make themselves 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) 900 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.)