

22.06.2026
Serial no. 92
[G.S.D]

CRM (NDPS) 928 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 NDPS Case No. 128 of 2025 arising out of Raghunathganj PS Case No. 963 of 2025 dated 27.07.2025 u/s 21(c)/29 of the NDPS Act.

-And-

In the matter of : Masadul Sk & Anr.

... .. Petitioner(s)

Mr. Sayan Mukherjee
Mr. M. Saha
Mr. Anisur Rahaman

... for the Petitioner(s)

Mr. Anurag Sardar

... for the State-respondent(s)

Learned advocate for the petitioners submits that the subject-matter of the case involves alleged recovery of 424 gm of heroin and two of the witnesses examined by the prosecution have been declined hostile. According to the learned advocate, the chemical examiner’s report reflects presence of three contraband which have not been quantified. Further, the petitioners are in custody for about 11 months.

Learned advocate for the State opposes the prayer for bail and submits that charges have been framed and the evidence of the prosecution has already been commenced.

I have taken into account the overall circumstances in the present case including the factum of two of the

independent witnesses being declared hostile as also the fact that according to the chemical examiner's report the petitioner is entitled to the benefit of the judgment of the Hon'ble Supreme Court in [**Sentu Seikh v. State of West Bengal [SLP (Crl.) No. 13987 of 2025]**].

Having considered 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, **Masadul Sk** and **Abdul Gaffar** 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, 5th Court, Berhampore, Murshidabad.

If on bail, the petitioners shall also 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 Murshidabad without prior permission of the learned Special Court/trial court.

Accordingly, CRM (NDPS) 928 of 2026 is **allowed.**

Memo of Evidence submitted by the State be kept with the record.

Supplementary Affidavit submitted by the petitioners be also 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.)