

24.06.2026
Sl. No. 116
Court No.35
Rohan
(Allowed)

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE**

C.R.M.(NDPS) 997 of 2026

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Lalgola Police Station Case No. 320 of 2025 dated 18.04.2025 for the offences punishable under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

-And-

In the matter of: Mustak Ahammed @ Babu

...Petitioner

Mr. Arnab Chatterjee
Mr. Avik Ghosh
Ms. Ankusha Ghosh

...for the Petitioner

Mr. Rajendra Banerjee, Ld. APP
Mr. Utsav Dutta

...for the State

1. Learned advocate appearing for the petitioner submits that the petitioner along with others was implicated in the instant case for alleged recovery of 455 grams of heroin. The petitioner is in custody for 1 year 2 months and the prosecution intends to examine sixteen (16) more witnesses in support of its case. Learned advocate has also drawn the attention of the Court to the chemical examiner's report and submitted that a substantial time will be required and the petitioner may be released on bail.
2. Mr. Rajendra Banerjee, learned Additional Public Prosecutor, along with Mr. Utsav Dutta, learned Advocate was directed to represent the State in the present case. Their appearance may be regularized.

3. Learned advocate for the State opposes the prayer for bail and submits that the quantum of contraband seized is of commercial quantity.
4. I have taken into account the chemical examiner's report which is covered by the judgment of the Hon'ble Supreme Court in ***Sentur Seikh vs. State of West Bengal [SLP (Crl.) No. 13987 of 2025]***. Till date, three (03) witnesses have been examined. Two (02) of the seizure-list witnesses have been cross-examined by the prosecution under Section 154 of the Evidence Act.
5. Having regard to the fact that examination of sixteen (16) more witnesses will consume substantial time, I am inclined to release the petitioner on bail.
6. As such, the prayer for bail of the petitioner, namely, **Mustak Ahammed @ Babu** is **allowed**.
7. Accordingly, the petitioner shall furnish bond of Rs. 20,000/- (Rupees Twenty Thousand only) with two sureties of Rs. 10,000/- (Rupees Ten Thousand only) each, one of whom must be local to the satisfaction of the learned Special Judge, NDPS Act, 2nd Court at Beharampore, Murshidabad.
8. If on bail, the petitioner shall be physically present before the learned Trial Court on each and every date. Petitioner shall not leave the district of Murshidabad without prior permission of the learned Special Court.
9. In the event, the petitioner fails to comply with any of the conditions as stated above, the learned Trial Court shall be at

liberty to cancel his bail in accordance with law without further reference to this Court.

10. Accordingly, **CRM (NDPS) 997 of 2026** is **disposed of**.

11. All parties shall act in terms of the server copy of the order downloaded from the official website of this Court.

12. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)