

24.06.2026
Court No.35.
D/L.157.
Rakib
(Allowed)

CRM (NDPS) 1040 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 Kushmandi Police Station case no. 187 of 2025 dated 26.08.2025 under Sections 21(c)/22(c)/23(c) of the NDPS Act.

And

In the matter of : Hazidur Rahaman @ Huju @ Hajidur.

.....Petitioner.

Mr. Kaushik Choudhury
Mr. Dwaipayan Panda
Mr. Tridib Das

.....for the Petitioner.

Mr. Gauranga Kr. Das, Ld. APP
Mr. P. Kumar Singh

.....for the State.

Learned advocate appearing for the petitioner submits that the alleged recovery in the present case is 321 bottles of phensedyl from the possession of the present petitioner. Petitioner is in custody for more than nine months and till date after submissions of charge-sheet charges have not yet been framed. Prosecution has relied upon 18 witnesses in order to prove its case.

Learned advocate appearing for the State opposes the prayer for bail and submits that the commercial quantity of contraband has been seized.

I have taken into account the quantum of seizure in this case which is of commercial quantity. However, having considered that the petitioner is already in custody for nine months and till date charges has not been framed, as also the factum of prosecution relying upon 18 witnesses, I am of the view that chances of the trial

is very bleak. Accordingly, the prayer for bail of the petitioner is **allowed.**

As such, the petitioner, namely, **Hazidur Rahaman @ Huju @ Hajidur** shall be released on bail upon furnishing 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 (under NDPS Act), 3rd Court, Balurghat, Dakshin Dinajpur.

If on bail, the petitioner shall be physically present on each and every date before the learned Trial Court and shall not leave the jurisdiction of district of Dakshin Dinajpur without prior permission of the learned Special Court.

Thus, CRM (NDPS) No. 1040 of 2026 is **allowed.**

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.)