

24.06.2026
Court No.35.
D/L.160.
Rakib
(Allowed)

CRM (NDPS) 1043 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 Kaliachak Police Station case no. 40 of 2021 dated 09.01.2021 under Sections 21(C)/29 of the NDPS Act.

And

In the matter of : Siddik Sk.

.....Petitioner.

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick

.....for the Petitioner.

Mr. Rajendra Banerjee, Ld. APP
Mr. Amal Kumar Datta

.....for the State.

Learned advocate appearing for the petitioner submits that petitioner has been arrested on 01.01.2026 and has been implicated on the basis of the statement of co-accused. The subject matter of the instant case relate to 315 grams of brown sugar having been recovered from the co-accused. There are no recovery from the present petitioner, as such petitioner may be released on bail.

Mr. Rajendra Banerjee, learned Additional Public Prosecutor along with Mr. Amal Kumar Datta are appearing for the State. Their appointments may be regularized by the concerned authorities.

Learned advocate appearing for the State on the other hand opposes the prayer for bail as also commercial quantity of contraband has been seized. The report submitted by the Inspector-in-Charge of Kaliachak Police Station reveals that the petitioner was

arrested after the two accused from whom seizure was effected, has already been acquitted.

Having considered that the petitioner's implication is on the basis of the statement of co-accused and he is in custody for more than 5 months, I am of the opinion that further detention of the present petitioner is unwarranted. Accordingly, the prayer for bail of the petitioner is **allowed**.

As such, the petitioner, namely, **Siddik Sk** 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 Judge, Special Court (under NDPS Act), 4th Court, Malda.

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 Malda without prior permission of the learned Special Court.

Additionally, petitioner shall meet with the Inspector-in-Charge of Kaliachak Police Station once in a fortnight till further orders of this Court.

Thus, CRM (NDPS) No. 1043 of 2026 is **allowed**.

Memo of evidence submitted by the State be 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.)